

# USE REGULATIONS



## Key Changes in Article 151.4:

- Establishes a new use classification system with use categories and use types instead of SIC codes
- Removes conditional uses
- Adds the planned development district to the consolidated use table
- Establishes a new set of prohibited uses
- Includes a new section on addressing unlisted uses
- Embeds the use classification, use category, and use type definitions into the principal use table
- Proposes a new approach to addressing manufactured and mobile homes by locating these dwelling types in rural areas instead of urban areas
- Wider range of new housing use types including live/work dwellings, bungalow courts, pocket neighborhoods, etc.
- Establishes a system of “major” and “minor” use type distinctions for uses that were needlessly distinguished from one another like offices, restaurants, and personal services use types
- Includes a comprehensive set of new wireless telecommunications use types and standards consistent with changing state law
- Consolidates the use-specific standards into a single section
- Includes a new section on accessory uses, supplemented by a summary table and set of specific standards for common accessory uses
- Includes a new section on temporary use types

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# ARTICLE 151.4 USE REGULATIONS

## 4.1 ARTICLE ORGANIZATION<sup>75</sup>

- A. **Article 151.4: Use Regulations**, contains all the standards related to the use of land in the County, and is organized by the type of land use: principal, accessory, or temporary use. Principal uses are the primary, permanent use type proposed on a lot (like a single-family home). Accessory uses are subordinate to the principal use (like a detached garage serving a single-family home). Temporary uses are uses allowed for a short duration of time (like a portable storage container used for the purposes of storing or moving a household's belongings).
- B. **Sections 4.3 and 4.4** set out the standards for principal uses. Principal uses follow a three-tiered use classification system that is proposed for the sake of organizing use types and assisting the County in establishing a fair and predictable system of classifying new or unlisted use types that may be proposed. The principal use provisions are comprised of two main subsections: a summary principal use table (**Table <>, Principal Use Table**) that lists all the allowable use types and the general zoning districts where they are allowed, and a set of use-specific standards that are applied to various use types regardless of the zoning district where they are proposed. The principal use table also includes the definitions of use categories and use types.
- C. **Section 4.5** sets out the general and specific standards for accessory uses. The general standards apply to all accessory uses, and the specific standards include additional standards that apply to some accessory uses.
- D. **Section 4.6** sets out the standards for temporary uses, including the districts where allowed, the maximum duration, and any additional standards.

## 4.2 USE CLASSIFICATIONS

### 4.2.1 PURPOSE

This section is intended to provide a systematic framework for identifying and distinguishing land uses to determine how a specific land use activity, or combination of activities, is to be considered when applying the principal use table and other provisions in this Ordinance.

### 4.2.2 ORGANIZATION OF USES

**Section <>, Use Classifications**, organizes principal uses by use classifications, use categories, and use types to provide a systematic basis for identifying, describing, categorizing, consolidating, and distinguishing land uses to determine whether a specific use is permitted in a particular zoning district

- A. **Use Classifications**  
The use classifications identify broad classifications of land use and include residential uses, institutional uses, commercial uses, and industrial uses. Use classifications are further broken down into a series of general "use categories" and specific "use types."
- B. **Use Categories**  
The use categories describe the major sub-groups of the respective use classifications and are based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. For example, the Residential Use Classification is divided into the Household Living and Group Living use categories. Use categories are further broken down into a series of individual "use types."
- C. **Use Types**  
The specific use types are included in the respective use category. They identify the specific principal uses that are considered to fall within characteristics identified in the use category. For example, single-family detached dwellings, two-family dwellings, multi-family dwellings, manufactured homes, and upper-story residential are use types in the Household Living use category.
- D. **Developments with Multiple Principal Uses**  
When all principal uses of a development fall within one use category, the entire development is assigned to that use category. When the principal uses of a development fall within different use categories, then each principal use is classified in the applicable use category and each use is subject to applicable regulations for that use category. Developments with multiple principal uses, such as shopping centers, shall incorporate only those use types allowed in the applicable zoning district.
- E. **Use Categories and Use Types Defined**  
The general characteristics and definitions of individual use categories and use types used in this Ordinance are defined in **Table <>, Principal Use Table**.

<sup>75</sup> NOTE: In the Annotated Outline, we had anticipated a slightly different structure for this chapter where the use classification information would come after the principal use table. However, upon further thought, we are suggesting that the principal use table will be more user-friendly if these two components are integrated, as shown in this draft.

# ARTICLE 151.4 USE REGULATIONS

## Section 4.3 Principal Uses

### 4.3.1 Table Structure<sup>75F</sup>

## 4.3 PRINCIPAL USES

### 4.3.1 TABLE STRUCTURE<sup>76</sup>

- A. **Table <>, Principal Use Table**, lists principal use types and indicates for each zoning district whether the principal use type is permitted by-right, as a special use, or prohibited. It also includes a reference to any applicable use-specific standards that may apply to a particular use type.
- B. The use classifications (agricultural, residential, institutional, commercial, or industrial) appear as purple rows.
- C. The use categories appear as grey cells that extend the full width of the table and contain the name of the use category in all capital letters as well as a definition.
- D. The use types comprise the left-most column and contain the name and definition of the use types.
- E. The right-most column includes a reference to any applicable use-specific standards associated with a use type. Unless otherwise stated in the standards, a use-specific standard applies to a particular use regardless of the zoning district where it is located.

### 4.3.2 USES PERMITTED BY-RIGHT<sup>77</sup>

A “P” in a cell of the principal use table indicates that the specific use type is permitted by-right in the corresponding zoning district, subject to compliance with any additional standards referenced in the principal use table.

### 4.3.3 USES PERMITTED BY SPECIAL USE PERMIT

An “S” in a cell of the principal use table indicates that the specific use type is permitted in the corresponding zoning district only upon approval of a special use permit in accordance with **Section <>, Special Use Permit**, and any additional standards referenced in the principal use table.

### 4.3.4 USES ALLOWED IN A PLANNED DEVELOPMENT DISTRICT

An “A” in a cell of the principal use table indicates that the specific use type is permitted in a planned development district, provided the specific use type is included in the list of potential use types identified in the planned development master plan or terms and conditions statement. Allowed uses are subject to any additional standards referenced in the principal use table. Uses not listed in an approved planned development master plan or terms and conditions statement shall not be permitted in a particular planned development even if they are shown as allowable in **Table <>, Principal Use Table**.

### 4.3.5 ADDITIONAL STANDARDS

- A. When a specific use type is permitted in a zoning district, there may be additional standards that are applicable. Such additional standards are referenced in the principal use table column titled “Additional Standards.” These standards shall apply to a specific use type regardless of the zoning district, unless otherwise specified.
- B. In addition, use types are also subject to any district standards listed in the applicable zoning district in Article **151.3: Zoning Districts**.

### 4.3.6 USES IN A SPECIAL FLOOD HAZARD AREA OVERLAY

Land located within special flood hazard area overlay shall be subject to the standards in **Section <>, Special Flood Hazard Area Overlay (SFHA)**. Standards in these sections may include use prohibitions not indicated in **Table <>, Principal Use Table**. In the event of a conflict, the standards pertaining to the special flood hazard area shall control.

### 4.3.7 PROHIBITED USES<sup>78</sup>

- A. A “.” in the principal use table indicates that the specific use type is prohibited in the corresponding zoning district.

<sup>76</sup> NOTE: This draft of the principal use table includes the current zoning district abbreviations in parenthesis to help readers get oriented to the proposed district abbreviations. The table also includes, in yellow rows, the current use types and procedures for review (whether permitted with a zoning permit “Z,” special use permit “S,” or prohibited “.”) for the sake of comparison. Current use types are listed beneath the corresponding new use type suggested for use in this Ordinance. The yellow rows with current uses will be removed from the adoption draft version of the UDO.

<sup>77</sup> Section 151.330, Permissible Uses not Requiring Permits, is not carried forward since these uses are either not principal uses, are not located on private lots, or includes uses now subject to a zoning compliance permit.

<sup>78</sup> NOTE: These standards carry forward and supplement the provisions in Section 151.328(c) of the current ordinance. Some of these prohibited uses are new standards proposed for the County’s consideration.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.3 Principal Uses

#### 4.3.8 Unlisted Uses

- B.** The following use types are not listed in **Table <>, Principal Use Table**, but are prohibited throughout the County's zoning jurisdiction in all zoning districts:
1. Explosives manufacturing;
  2. Storage or processing of radioactive, infectious, or hazardous waste;
  3. Package treatment plant wastewater disposal systems that discharge to surface waters;
  4. Use of a boat, houseboat, or other floating structure as a temporary or permanent residence (this shall not prevent the overnight occupancy of a vessel temporarily docked or moored while in transit on navigable waters);
  5. Use of a travel trailer as a permanent residence;
  6. Maintenance of a travel trailer in the same location for more than 90 days per every 115-day period; and
  7. Use of a motor vehicle parked on a lot as a structure in which, out of which, or from which any goods are sold or stored, any services are performed or other business is conducted, with the following exceptions:
    - a. Retail sale of food products, with ARHS certification, from a vehicle that is removed from the site each day after completion of the sales;
    - b. Retail sale of goods and merchandise manufactured, created or produced by the seller, so long as the vehicle is removed from the site each day after the completion of sales; or
    - c. Use of a truck trailer for temporary purposes at a construction site, in accordance with **Section <>, Temporary Construction and Sales Office**.
- C.** Outdoor storage of a motor vehicle without a current license plate is prohibited on any lot in a residential district unless the vehicle is on blocks or stands configured to keep the vehicle at least one foot above the ground and provided the vehicle is completely covered by a waterproof covering material.

#### 4.3.8 UNLISTED USES

- A.** The UDO Administrator shall determine whether or not an unlisted use is a part of or similar to an existing use category or use type set out in **Table <>, Principal Use Table**, based on the standards for unlisted uses in **Section <>, Interpretation**.
- B.** Nothing shall limit the UDO Administrator from seeking input from the County Attorney, Planning Board, or Board of Commissioners in making a determination of how to categorize an unlisted use.
- C.** In cases where a proposed unlisted use is not found to be similar to an existing use category or use type, the UDO Administrator may, but shall not be required to, initiate a text amendment application to revise the text of this Ordinance in accordance with **Section <>, UDO Text Amendment**.

#### 4.3.9 CHANGES IN USE<sup>79</sup>

A substantial change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. This occurs whenever:

- A.** The change involves a change from one principal use category to another;
- B.** The relative proportion of space devoted to the individual principal changes to an extent that the parking requirements for the overall use are altered;
- C.** The mixture of types of individual principal uses that comprise a combination use changes;
- D.** The relative proportions of different types of dwelling units change; or
- E.** If there is only one business or enterprise conducted on the lot (regardless of whether that business or enterprise consists of one individual principal use or a combination use), and that business or enterprise moves out and a different type of enterprise may be classified under the same principal use or combination use category as the previous type of business ). For example:
1. If there is only one building on a lot and a florist shop that is the sole tenant of that building moves out and is replaced by a clothing store, that constitutes a change in use even though both tenants are retail uses.
  2. However, if the florist shop were replaced by another florist shop, that would not constitute a change in use since the type of business or enterprise would not have changed.
  3. Moreover, if the florist shop moved out of a rented space in a shopping center and was replaced by a clothing store, that would not constitute a change in use since there is more than one business on the lot and the essential character of the activity conducted on that lot (shopping center-combination use) has not changed.
  4. Reuse of an existing pier by a non-recreational type of boat to another non-recreational type boat shall not constitute a change of use.
- F.** A mere change in the status of property from unoccupied to occupied or vice-versa does not constitute a change in use.

<sup>79</sup> NOTE: This section carries forward the standards in Section 151.331 of the current ordinance. It may be that this material might be better suited in the rules of measurement section.

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

- G. Whether a change in use occurs shall be determined by comparing the two active uses of the property without regard to any intervening period during which the property may have been unoccupied unless the property has remained unoccupied for more than 180 consecutive days or has been abandoned.
- H. A mere change in ownership of a business or enterprise or a change in the name shall not be regarded as a change in use.

**4.3.10 PRINCIPAL USE TABLE<sup>80</sup>**

<b>TABLE &lt;&gt;: PRINCIPAL USE TABLE</b>															
"P"= Permitted      "S"= Permitted with Special Use Permit      "."= Prohibited															
USE CATEGORY Use Type Description	Current Use (provided for comparative purposes only- rows removed upon adoption)	RESIDENTIAL					COMMERCIAL					IND.		ADDITIONAL STANDARDS (151.4)	
		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)
<b>AGRICULTURAL USE CLASSIFICATION</b>															
<b>AGRICULTURE/HORTICULTURE</b>															
The Agriculture/Horticulture Use Category is characterized by general agricultural activities taking place on lands that are not bona fide farms in as identified in <a href="#">Section 151.1.&lt;&gt;, Exemptions</a> . The range of uses includes the cultivation and production of orchard, garden, or nursery crops on a small or large scale, the production of field grown crops, specialty crops, flowers, fruit, grapes, market gardening, nursery stock, nuts, ornamental plants, sod, vegetables, and similar horticultural uses. The use category also includes agronomy, biotechnical agriculture (including education parks for biotechnical agriculture or a demonstration farm), and similar uses, but does not include the keeping of livestock or other animal husbandry uses. Accessory uses may include offices, storage areas, and repair facilities related to agriculture uses.															
<b>All Agriculture/ Horticulture Uses</b> See use category definition.		S	P	P	P	.	.	S	.	.	P	P	P	P	A
Agricultural Operations; Farming, Not Exempt as Bona-Fide Farms; excluding livestock		.	Z	Z	Z	Z	Z	Z	Z	x	Z	Z	Z	Z	x
Silvicultural operations		.	Z	Z	Z	Z	Z	Z	Z	x	Z	Z	Z	Z	x
Commercial greenhouses or nurseries, on-premise sales permitted		.	Z	.	.	.	.	Z	Z	x	Z	Z	Z	Z	x
<b>ANIMAL HUSBANDRY</b>															
The Animal Husbandry Use Category is characterized by the commercial and non-commercial propagation, rearing, exercising, feeding, milking, housing, controlling, handling, or general care of living animals. Examples of Animal Husbandry Use Types include the raising and production of cattle (beef and dairy), pigs, mules, ducks, horses, goats, poultry, sheep, and similar livestock or domesticated animals. Animal husbandry also includes commercial apiaries, aquaculture, and fisheries. Breeding and rearing of animals typically thought of as household pets (e.g., dogs, cats, small rodents, etc.) is not animal husbandry.															
<b>Animal Husbandry Uses (excluding stockyards and slaughterhouses)</b> See use category definition.		.	P	.	.	.	.	.	.	.	S	P	P	.	<>
Agricultural Operations; Farming, Not Exempt as Bona-Fide Farms; including livestock		.	Z	.	.	.	.	.	.	x	.	.	Z	Z	x
<b>Stockyard/Slaughterhouse</b> A site where livestock is stored and butchered for food or products.		.	.	.	.	.	.	.	.	.	S	S	S	.	<>
Stockyards, slaughterhouses, rendering plants		.	.	.	.	.	.	S	.	x	S	Z	S	S	x
<b>AGRICULTURAL SUPPORT</b>															
The Agricultural Support Use Category includes use types that provide support and services to uses directly engaged in agricultural, horticultural, and animal husbandry activities. Agricultural support uses are related to agricultural activities, but may not be proximate to or directly involved with agricultural production.															

<sup>80</sup> Based on a suggestion from staff, the zoning district names at the top of the table will also be hyperlinks to the particular zoning district sections.

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

<b>TABLE &lt;&gt;: PRINCIPAL USE TABLE</b>																
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		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)	PD (NEW)
<b>Agricultural Research Facility</b> A facility for the investigation, testing, and demonstration of agricultural products and processes, including biotechnical agriculture, veterinary, soil, plant, and animal sciences.		.	P	.	.	.	.	S	S	.	P	P	P	P	P	⚠
<b>Agri-Education/ Agri-Entertainment</b> Agri-education facilities are used for the investigation, testing, or demonstration of, or for training or educating persons in, products and processes related to agriculture, horticulture, or animal husbandry, including biotechnical agriculture, veterinary, soil, plant, and animal sciences. Agri-entertainment events and activities allow for recreation, entertainment and tourism in conjunction with an agricultural use. Examples include wineries, petting zoos, hay rides, and corn mazes.		S	P	S	.	.	.	S	S	.	S	P	P	P	A	⚠
	Agribusiness uses	.	Z	.	.	S	S	S	.	x	S	Z	Z	Z	x	
	Petting zoo	.	.	.	.	.	.	.	.	x	S	S	.	.	x	
<b>Distribution Hub for Agriculture Products</b> A commercial establishment where farmers can deliver agricultural products for pick-up by wholesalers or firms involved in processing of agricultural products, but not delivery directly to consumers.		.	P	.	.	.	.	.	.	.	P	P	P	P	A	⚠
<b>Equestrian Facility</b> A facility associated with the keeping of horses or ponies as domesticated animals or pets. Such uses include stalls, feeding areas, paddocks, haylofts, corrals, and other similar outdoor exercise/instruction/performance areas.			P	S	S	.	.	.	.	.	S	.	.	.	A	⚠
	Horseback riding, schooling and boarding facilities	.	Z	.	.	.	.	.	.	x	S	.	.	.	x	
<b>Farm Machinery Sales, Rental, or Service</b> An establishment engaged in the sale, rental, and/or service of equipment normally or routinely used on farms and in gardens, and related parts, tools and accessories, but not non-farm equipment or materials.		.	S	.	.	.	.	S	.	.	S	P	P	P	A	⚠
<b>Farmers Market</b> A use which includes the sale of horticulture or agriculture products, including nursery stock, perennial, annuals, bulbs, mulch, compost, dried flowers, Christmas trees and greens, fresh produce, honey, cider, and similar agriculture products by more than one vendor. The use may or may not include a permanent building.		.	P	S	.	.	.	P	P	P	P	P	.	.	A	⚠
	Farm and craft markets	.	.	S	S	S	S	Z	Z	x	Z	Z	.	.	x	
<b>Roadside Market</b> A permanent retail establishment engaged in the retail sale or resale of agricultural products and seafood produced on site or in adjacent waters.		.	P	.	.	.	.	P	.	.	P	P	.	.	A	

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

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"P"= Permitted      "S"= Permitted with Special Use Permit      "."= Prohibited

USE CATEGORY Use Type Description	Current Use (provided for comparative purposes only- rows removed upon adoption)	RESIDENTIAL					COMMERCIAL					IND.		ADDITIONAL STANDARDS (151.4)	
		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)
<b>RESIDENTIAL USE CLASSIFICATION</b>															
<b>HOUSEHOLD LIVING USES</b>															
Household living includes use types that provide for the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month or longer basis. Accessory uses commonly associated with household living are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles.															
<b>Bungalow Court</b> A series of between two and 12 single-family detached homes configured as a cohesive development that incorporates smaller lot sizes, reduced setbacks, shared accessways, and where each home complies with the residential design guidelines in this Ordinance.	.	.	.	.	.	P	.	P	P	.	.	.	.	A	<b>&lt;4.402.&gt;</b>
<b>Duplex</b> A single structure comprised of two dwelling units that share common vertical walls or horizontal floors/ceilings. The dwelling units may be on their own lots or on a single lot.	.	.	.	.	.	P	.	.	P	.	.	.	.	A	<b>&lt;4.402.&gt;</b>
Two-family conversion	.	.	.	.	.	S	.	.	x	.	.	.	.	x	
Duplex	.	.	.	.	.	S	.	.	x	.	.	.	.	x	
Two-family apartment	.	.	.	.	.	S	.	.	x	.	.	.	.	x	
<b>Live/Work Dwelling</b> A structure or portion of a structure combining a dwelling unit with an integrated nonresidential ground-level workspace typically used by one or more residents of the dwelling.	.	S	.	.	.	P	P	P	P	.	.	S	.	A	<b>&lt;4.402.&gt;</b>
<b>Manufactured Home</b> A dwelling on its own lot constructed after June 15, 1976 that is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported on its own chassis. It bears a valid seal indicating conformance with the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of its construction.	.	P	P	S	.	.	.	.	.	.	.	.	.	A	<b>&lt;4.402.&gt;</b>
<b>Manufactured Home or Mobile Home Park</b> A site where two or more manufactured or mobile homes are located on individual leaseholds or other divisions of land under common ownership. The park may include additional accessory uses such as recreation facilities, shared laundry facilities, storage, and parking.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	
<b>Mobile Home</b> A factory-built dwelling on its own lot constructed prior to June 15, 1976, to State code standards, not those adopted by the US Department of Housing and Development on June 15, 1976.	.	.	S	.	.	.	.	.	.	.	.	.	.	.	<b>&lt;4.402.&gt;</b>
Class A mobile home	.	.	.	.	Z	Z	.	.	x	.	.	.	.	x	
Class B mobile home	.	.	.	.	.	Z	.	.	x	.	.	.	.	x	
Class C mobile home, subject to §151.210 et seq.	Existing mobile homes and mobile home subdivisions, subject to 151.210 et seq.														
Class B mobile home, subject to §151.347(J)	.	.	.	.	.	S	.	.	x	.	.	.	.	x	



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**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

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		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)
<b>Multi-Family</b> A dwelling comprised of five or more dwelling units that share common vertical walls or horizontal floors/ceilings (or both) that are not on individual lots. Examples include apartments and condominiums.		.	.	.	.	.	.	S	P	S	S	.	.	A	<a href="#">&lt;4.402.&gt;</a>
Multi-family conversion		.	.	.	.	.	.	S	x	S	S	.	.	x	
Multi-family apartments		.	.	.	.	.	.	S	x	S	S	.	.	x	
<b>Pocket Neighborhood</b> A cohesive development of at least four but no more than 12 single-family detached dwellings, each on their own lot, located around a common open space and served by either on-street, on-site, or shared off-street parking. Each home fronts the common open space, and is configured with a front porch and windows on the front facade.		.	.	.	.	P	P	.	P	P	.	.	.	A	<a href="#">&lt;4.402.&gt;</a>
<b>Quadplex</b> A single structure comprised of four individual dwelling units that share common vertical walls or horizontal floors/ceilings located on a single lot.		.	.	.	.	.	.	P	P	P	S	.	.	A	<a href="#">&lt;4.402.&gt;</a>
<b>Single-Family Attached</b> A dwelling unit that is physically attached to one or more dwelling units, each on its own lot. Individual lots may or may not be surrounded by a larger tract that incorporates shared parking, recreation feature, or access. The larger tract may or may not be owned in common by the landowners of individual lots. Examples include townhouses, patio homes, and row houses.		.	.	.	.	.	S	.	P	P	S	S	.	A	<a href="#">&lt;4.402.&gt;</a>
Multi-family townhomes		.	.	.	.	.	.	S	x	S	S	.	.	x	
Condominiums		.	.	.	.	.	.	S	x	S	S	.	.	x	
<b>Single-Family Detached</b> A dwelling containing one dwelling unit that is occupied by one family and that is not physically attached to any other principal structure on an individual lot. This term includes modular homes. For regulatory purposes, this term does not include manufactured dwellings, recreational vehicles, or other forms of temporary or portable housing.		.	P	P	P	P	P	.	.	P	.	.	.	A	<a href="#">&lt;4.402.&gt;</a>
Site built		.	Z	Z	Z	Z	Z	.	.	x	.	.	.	x	
Modular		.	Z	Z	Z	Z	Z	.	.	x	.	.	.	x	
<b>Triplex</b> A single structure comprised of three dwelling units that share common vertical walls or horizontal floors/ceilings located on a single lot.		.	.	.	.	.	.	S	P	P	P	S	.	A	<a href="#">&lt;4.402.&gt;</a>
<b>Upper Story Residential</b> A dwelling unit located on a floor above a nonresidential use.		.	.	.	.	.	.	P	P	P	P	.	S	A	<a href="#">&lt;4.402.&gt;</a>
<b>GROUP LIVING</b> Group Living includes use types that provide for the residential occupancy of a building by a group. The occupancy of the building may be larger than found in Household Living. Tenancy is arranged on a monthly or longer basis. Generally, group living development has a common eating area for residents. The residents may receive care, training, or treatment. Accessory uses may include recreational facilities, dining facilities, and parking of vehicles for occupants and staff.															

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

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<b>Dormitory</b> A residential facility established directly or indirectly in association with a college, business college, trade school, or university for the purpose of housing students registered and attending the institution. Typically, it includes bedrooms with shared bathrooms and other shared living spaces. A private dormitory may contain food preparation and eating facilities primarily for the use of its occupants.		.	.	.	.	.	.	S	S	S	.	S	.	A	<4.402.>	
<b>Family Care Home</b> A home for six or fewer persons that provides room and board, personal care, and habilitation services in a family environment for the residents, who have a temporary or permanent physical, emotional, or mental disability (including, but not limited to, mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances, and orthopedic impairments, but not including mentally ill persons who are dangerous to others as defined in North Carolina General Statutes Section 122C-3(11)b.)		.	P	P	P	P	P	.	.	P	.	.	.	A	<4.402.>	
<b>Group Home</b> A home for seven or more persons that provides room and board, personal care, and habilitation services for the residents, who have a temporary or permanent physical, emotional, or mental disability.		.	S	S	.	.	.	S	S	S	S	S	.	.	A	<4.402.>
	Family care home	.	.	.	.	.	.	S	S	x	S	S	.	.	x	
	Family care homes for the aged	.	.	.	.	.	.	.	.	x	.	.	.	.	x	
<b>Rooming House</b> A dwelling that provides rental accommodations to tenants in up to five individual rooms for periods of one week or longer. The dwelling is accessed by a shared entry with a common kitchen. Meals may be provided to the tenants.		.	S	.	.	.	.	S	S	S	S	S	.	.	A	<4.402.>
	Rooming houses and boarding houses	.	S	.	.	.	.	S	S	x	S	S	.	.	x	
<b>INSTITUTIONAL USE CLASSIFICATION</b>																
<b>COMMUNITY SERVICES</b> The Community Services Use Category includes use types of a public, charitable, non-profit, or for-profit nature that provide a local service to people of the community. Generally, such uses provide ongoing continued service on-site or have employees at the site on a regular basis. Community centers or facilities that have membership provisions that are open to the general public (for instance, any senior citizen could join a senior center) are included in the Community Services Use Category. The use type may provide special counseling, education, or training of a public, nonprofit, or charitable nature. Accessory uses may include offices, meeting, food preparation, parking, health, and therapy areas; and athletic facilities. Parks are not considered Community Services; they are classified as Parks and Open Areas.																
<b>Community Center</b> A public building to be used as a place of meeting, recreation, or social activity and not operated for profit.		S	.	.	.	.	S	P	P	P	P	.	.	.	A	<>
<b>Cultural Facility</b> Establishments such as zoological gardens, conservatories, planetariums, or other similar uses of an historic, educational, or cultural interest, which are not operated for profit.		S	.	.	.	.	S	P	P	P	S	.	.	.	A	<>

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Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet		.	.	S	S	S	S	S	x	S	S	.	.	x	
Located within any permissible structure		.	.	.	.	.	S	S	x	S	S	.	.	x	
<b>Library</b> A public facility for the use, but not sale, of literary, historical, scientific, musical, artistic, or other reference materials.		.	.	.	.	.	P	P	P	P	.	.	.	A	↕
<b>Museum</b> A building serving as a repository for a collection of natural, scientific, historical, or literary curiosities or works of art, and arranged, intended, and designed to be used by members of the public for viewing, with or without an admission charge, and which may include as an accessory use the limited retail sale of goods, services, or products such as prepared food to the public.		S	.	.	.	.	P	P	P	P	.	.	.	A	↕
<b>Senior Center</b> A facility typically for use by citizens of 62 years of age, or older, dedicated to the provision of services, activities, or facilitation of interaction between older citizens and the community at large. Such centers may be publicly or privately-owned, but are not operated for a profit.		.	.	.	.	P	P	P	P	P	S	.	.	A	↕
<b>Youth Club Facility</b> A boys' club, a girls' club, or any other non-profit facility that is not a school but which provides entertainment, recreation, crafts, tutorials or other quality of life enhancements for minors.		.	.	.	.	S	P	P	P	P	S	.	.	A	↕
<b>DAY CARE</b> The Day Care Use Category is characterized by use types that provide care, protection, and supervision for children or adults on a regular basis away from their primary residence, and typically for less than 24 hours per day. Care can be provided during daytime or nighttime hours. Accessory uses include offices, food preparation, recreation areas, and parking. The Day Care Use Category does not include incidental child care within a primary residence, drop-in or short-term day care provided in connection with employment or shopping center, recreational facility, religious institution, hotel, or other principal use, where children are temporarily cared for while parents or guardians are employed part-time or temporarily occupied on the premises or in the immediate vicinity.															
<b>Adult Day Care Center</b> A program operated in a structure other than a single-family dwelling that provides group care and supervision on a less than 24-hour basis, and in a place other than their usual place of abode, to adults 18 years or older who may be physically or mentally disabled, and which is certified or approved to operate by the State of North Carolina.		.	.	.	.	S	P	P	P	P	S	.	.	A	↕

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<b>Child Care Center</b> A commercial or non-profit use licensed by the State where, at any one time, three or more children under the age of 13 receive child care in a building other than a residence on a regular basis from persons other than their guardians, full-time custodians, or persons related to them by blood, marriage, or adoption. Such uses may also involve the provision of educational services in preparation for elementary school. This definition does not include incidental child care, cooperative arrangements among parents, or drop-in or short-term child care provided while parents work part-time or participate in other activities on the premises.		.	P	.	.	.	P	P	P	P	P	P	P	.	A	◊
	Nursery school and day-care centers	.	Z	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
<b>EDUCATIONAL FACILITIES</b>																
The Educational Facilities Use Category includes use types such as public and private schools at the elementary, middle, or high school level that provide state-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification. Accessory uses at schools include offices, play areas, cafeterias, recreational and sport facilities, auditoriums, and before- or after-school day care. Accessory uses at colleges or universities include offices, dormitories, food service, laboratories, health and sports facilities, theaters, meeting areas, athletic fields, parking, maintenance facilities, and supporting commercial.																
<b>Major</b> A public or private institution for post-secondary education operating in buildings owned or leased by the institution and engaged in classroom instruction, residential units, administrative offices, and other functions which further the educational mission of the institution.		.	.	.	.	.	.	S	S	S	S	S	S	.	A	◊
	Colleges, community colleges, including associated facilities such as dormitories, office buildings, athletic fields and the like	.	.	.	.	.	.	S	S	x	S	.	.	.	x	
	Trade or vocational school	.	.	.	.	.	.	S	S	x	S	S	Z	Z	x	
<b>Moderate</b> An educational institution that provides secondary education such as a high school or a middle school. Accessory uses may include offices, play areas, cafeterias, sports facilities, and bus parking areas.		.	S	.	.	.	S	P	P	P	P	S	.	.	A	◊
	Elementary and secondary, including associate grounds, athletic and other facilities	.	S	S	S	S	S	S	S	x	S	S	.	.	x	
<b>Minor</b> An educational institution that provides elementary education such as an elementary or nursery school as well as a small-scale secondary education facility limited to 75 students or less. Accessory uses may include offices, play areas, cafeterias, sports facilities, and bus parking areas.		.	P	S	S	P	P	P	P	P	P	S	.	.	A	
<b>GOVERNMENT FACILITIES</b>																
The Government Facilities Use Category includes use types that provide for the general operations and functions of local, state, or federal governments. Accessory uses include maintenance, storage (indoor and outdoor), fueling facilities, satellite offices, and parking areas.																

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<b>Government Office</b> An office of a governmental agency that provides administrative and/or direct services to the public, such as, but not limited to, employment offices, public assistance offices, or motor vehicle licensing and registration services.		S	P	.	.	.	.	P	P	P	P	P	P	.	A	◊
Government offices		.	.	.	.	.	Z	Z	x	Z	Z	Z	Z	.	x	
Post office		.	Z	.	.	.	Z	Z	x	Z	Z	.	.	.	x	
<b>Government Maintenance, Storage, or Distribution Facility</b> A facility housing government shops, maintenance and repair centers, equipment, and outdoor storage yards.		.	S	.	.	.	.	S	S	S	P	P	P	P	A	◊
<b>HEALTH CARE FACILITIES</b> The Health Care Facilities Use Category includes use types that provide medical or surgical care and treatment to patients as well as laboratory services. Hospitals and medical treatment facilities offer overnight care, as well as outpatient care. Accessory uses include offices, laboratories, teaching facilities, meeting areas, cafeterias, parking, maintenance facilities, housing for staff or trainees, and limited accommodations for family members. The Health Care Facilities Use Category does not include: Uses that involve provision of residential care for the elderly or disabled, which are classified as Institutions; or Uses that provide exclusive care and planned treatment or training for psychiatric, alcohol, or drug problems, where patients are residents and participants in a program, which are considered Institutions.																
<b>Drug or Alcohol Treatment Facility</b> Inpatient facility which provides care for persons with drug and/or alcohol dependency problems and which may include outpatient follow-up care to the facility's patients.		.	.	.	.	.	.	.	S	S	S	.	S	.	A	◊
<b>Hospital</b> An institution specializing in giving clinical, temporary, and emergency services of a medical or surgical nature to human patients and injured persons, that is licensed by state law to provide facilities and services in surgery, obstetrics, or general medical practice. Such institutions may include in-patient medical or surgical care for the sick or injured and related facilities such as laboratories, out-patient departments, training facilities, central services facilities, and staff offices that are an integral part of the facilities.		.	.	.	.	.	.	S	P	P	S	S	.	.	A	◊
Hospitals, clinics, other medical, including mental health, treatment facilities in excess of 10,000 square feet in gross floor area		.	.	.	.	.	.	S	S	x	S	S	.	.	x	
<b>Medical Treatment Facility</b> A small-scale facility which may or may not be located in a converted dwelling or residence where patients are admitted for examination and treatment by one or more physicians, dentists or psychologists. Patients may or may not receive care or lodging overnight. Such facilities may include sleeping rooms for care workers and members of patient's families.		.	S	.	.	.	S	P	P	P	P	S	.	.	A	◊
<b>INSTITUTIONS</b> The Institutions Use Category includes use types that provide a variety of facilities, including buildings that provide meeting areas for religious activities, civic or fraternal club activities, housing and care for the elderly, and housing related to treatment programs or post-incarceration. Accessory uses include school facilities, limited medical treatment facilities, kitchens/cafeterias, recreation areas, offices, meeting rooms, parking, and staff residences.																

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<b>Assisted Living Facility</b> A building, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, health care assistance, and one or more personal services for a period exceeding 24 hours to one or more adults who are not relatives of the owner or proprietor. Accessory uses may include dining rooms and infirmary facilities for intermediate or skilled nursing care solely for the use of the occupants residing in the principal facility.		.	.	S	.	.	S	S	S	S	S	S	.	.	A	⚠
	Nursing care, intermediate care, handicapped, infirm or child care institutions	.	.	.	.	.	S	S	x	S	S	.	.	.	x	
<b>Club or Lodge</b> A building and related facilities owned and operated by a corporation, association, or group of individuals established for fraternal, social, educational, recreational, or cultural enrichment of its members and primarily not for profit, and whose members meet certain prescribed qualifications for membership and pay dues.		.	S	.	.	.	S	P	P	P	P	S	.	.	A	⚠
	Social, fraternal clubs and lodges, union halls and similar uses	.	.	.	.	.	S	S	x	S	S	.	.	.	x	
<b>Halfway House</b> A licensed home for not more than nine juveniles or adult persons on release from more restrictive custodial confinement or initially placed in lieu of such more restrictive custodial confinement, wherein supervision, rehabilitation, and counseling is provided to assist residents back into society, enabling them to live independently.		.	.	.	.	.	.	.	.	.	S	S	.	.	.	⚠
	Halfway houses	.	.	.	.	.	.	.	x	S	.	.	.	.	x	
<b>Nursing Home</b> Any facility or any identifiable component of any facility in which the primary function is the provision, on a continuing basis, of nursing services and health-related services for the treatment and inpatient care of two or more non-related individuals, including facilities known by varying nomenclature or designation such as rest homes, convalescent homes, skilled care facilities, intermediate care facilities, extended care facilities and infirmaries. This does not include the home or residence of any individual who cares for or maintains only persons related to him or her by blood or marriage.		.	.	.	.	.	.	S	S	S	S	.	.	.	A	⚠
	Nursing care and intermediate care homes	.	.	.	.	.	.	S	S	x	.	.	.	.	x	
	Homes for handicapped, aged, or infirm	.	.	.	.	.	.	S	S	x	.	.	.	.	x	
<b>Psychiatric Treatment Facility</b> Inpatient facility which provides care for persons with psychiatric problems and which may include outpatient follow-up care to the facility's patients.		.	.	.	.	.	.	.	.	.	S	.	.	.	.	⚠

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	Institutions, other than halfway houses, where mentally ill persons are confined	.	.	.	.	.	.	.	.	x	S	.	.	.	x	
<b>Religious Institution</b>	A structure or place in which worship, ceremonies, rituals, and education are held, together with its accessory buildings and uses (including buildings used for educational and recreational activities), operated, maintained, and controlled under the direction of a religious group. Religious institutions include churches, mosques, synagogues, and temples. Accessory uses may include school facilities, parking, caretaker's housing, pastor's housing, and group living facilities such as convents.	.	S	.	.	.	S	P	P	P	P	S	.	.	A	◊
	Churches, synagogues and temples, including associated residential structures for religious personnel	.	Z	S	S	S	S	Z	Z	x	Z	Z	.	.	x	
<b>PARKS AND OPEN AREAS</b>																
The Parks and Open Areas Use Category includes use types that focus on open space areas largely devoted to vegetative landscaping or outdoor recreation and that tend to have few structures. Accessory uses may include club houses, restrooms, recreational structures, statuary, fountains, maintenance facilities, concessions, parking, and columbaria and mausoleums (as accessory to cemeteries). The Parks and Open Areas Use Category does not include private golf courses; they are classified as Recreation/Entertainment, Outdoor.																
<b>Cemetery</b>	Institutional or for profit uses intended for the burial of the dead and dedicated for cemetery purposes. This use type may include a mausoleum or columbarium (a structure or vault lined with recesses for cinerary urns), but does not include a crematory or a private cemetery.	.	S	S	S	S	S	S	S	S	S	S	.	.	A	◊
	Cemetery	.	S	S	S	S	S	.	.	x	.	.	.	.	x	
<b>Community Garden</b>	A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person.	P	P	P	P	P	P	P	.	P	.	.	.	.	A	◊
<b>Park, Public or Private</b>	Land used for recreation, exercise, sports, education, rehabilitation, or similar activities, or a land area intended to enhance the enjoyment of natural features or natural beauty, specifically excluding commercially operated amusement parks.	S	P	S	S	S	P	P	P	P	P	P	.	.	A	◊
	Publicly-owned outdoor recreational facilities, such as athletic fields, golf courses, tennis courts, swimming pools, parks, campgrounds, boat ramps and docks and the like not constructed pursuant to a permit authorizing the construction of another use (such as school)	.	Z	.	.	.	.	Z	Z	x	Z	Z	.	.	x	
<b>PUBLIC SAFETY</b>																
The Public Safety Use Category is characterized by use types that provide public safety services to the general public.																

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<b>Police, Fire, or EMS Facility</b> A facility for the provision of local rapid response emergency services such as firefighting and mobile medical emergency services, including areas for the storage and maintenance of emergency vehicles, and equipment and facilities for the housing and feeding of emergency personnel while on duty.		.	S	S	S	S	S	P	P	P	P	P	P	P	A	⚠
Law enforcement stations		.	S	S	S	S	S	Z	Z	x	Z	Z	Z	Z	x	
Fire stations		.	S	S	S	S	S	Z	Z	x	Z	Z	Z	Z	x	
Rescue squad and ambulance service		.	S	S	S	S	S	Z	Z	x	Z	Z	Z	Z	x	
Civil defense operations		.	S	S	S	S	S	Z	Z	x	Z	Z	Z	Z	x	
<b>Correctional Facility</b> A facility for persons serving a sentence after being found guilty of a criminal offense. Such uses may include cafeterias, housing for facility staff, outdoor storage and maintenance areas, recreational areas, agricultural facilities, and facilities for the production of goods or materials produced for sale.		.	.	.	.	.	.	.	.	.	.	.	S	S	.	⚠
Penal and correctional facilities		.	.	.	.	.	.	.	.	x	.	.	S	S	x	
<b>Security Training Facility</b> A facility located on at least 3,500 contiguous acres which provides the following services; explosives training, driver training (including vehicle maintenance facility to support driver training activities), training operations utilizing fixed and rotary wing aircraft (including parachute operations and training, airstrip and supporting aviation structures, and parachute landing zones), towers that are 100' tall or less that are used in connection with security training, dining facilities, commercial retail and lodging areas, and office, clerical, research and services related to security training operations and services.		.	.	.	.	.	.	.	.	.	.	.	S	S	.	⚠
<b>TRANSPORTATION</b> The Transportation Use Category includes use types that provide for the landing and takeoff of airplanes and helicopters, including loading and unloading areas. This use category also includes passenger terminals for surface transportation. Accessory uses include freight handling areas, concessions, offices, parking, maintenance, and fueling facilities. Transit route facilities such as bus stops, bus shelters, and park-and-ride facilities are classified as Utilities.																
<b>Airport</b> Any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.		.	S	.	.	.	.	.	.	.	.	.	S	S	A	⚠
County-owned and operated airport		.	.	S	S	S	S	.	.	x	.	.	S	S	x	
Privately-owned airport		.	.	.	.	.	S	.	.	x	.	.	S	S	x	
Airstrip		.	.	.	.	.	.	.	.	x	.	.	S	S	x	
<b>Helicopter Landing Facility</b> An area, either on ground level or elevated on a structure, licensed or approved for the landing and takeoff of helicopters and which may include auxiliary facilities such as parking, waiting room, fueling, and maintenance equipment.		.	S	.	.	.	.	.	.	.	S	.	S	S	A	⚠



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**Section 4.3 Principal Uses**

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		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)	PD (NEW)
<b>Passenger Terminal, Surface Transportation</b> A facility that receives and discharges passengers and at which facilities and equipment required for their operation are provided. Examples include terminals for bus, trolley, taxi, railroad, shuttle van, or other similar vehicular services.		.	.	.	.	.	.	P	P	P	S	.	.	.	A	◊
<b>UTILITIES</b> The Utilities Use Category includes both major utilities, which are infrastructure services that provide regional or community-wide service, and minor utilities, which are infrastructure services that need to be located in or near the neighborhood or use type where the service is provided. Wireless telecommunications towers also are a type of utility. Services may be publicly or privately provided. Accessory uses may include parking and control, offices, monitoring, storage areas, or data transmission equipment. Landfills, recycling and salvage centers, and waste composing uses are considered Waste-Related Services.																
<b>Utility, Major</b> Infrastructure services providing regional or community-wide service that normally entail the construction of new buildings or structures such as water towers, waste treatment plants, potable water treatment plants, solid waste facilities, wind energy conversion systems, and electrical substations.		.	P	S	S	S	S	S	S	P	P	P	P	P	A	◊
	Community or regional utility facilities	.	Z	S	S	S	S	S	S	x	Z	Z	Z	Z	x	
	County-owned or operated utility facilities	.	Z	Z	Z	Z	Z	Z	Z	x	Z	Z	Z	Z	x	
<b>Utility, Minor</b> Infrastructure services that need to be located in or near the neighborhood or use type where the service is provided. Examples of Minor Utilities include water and sewage pump stations, storm water retention and detention facilities, telephone exchanges, and surface transportation uses such as park-and-ride facilities.		.	P	P	P	P	P	P	P	P	P	P	P	P	A	◊
	Neighborhood utility facilities	.	Z	S	S	S	S	Z	Z	x	Z	Z	Z	Z	x	
<b>COMMERCIAL USE CLASSIFICATION</b>																
<b>ADULT AND SEXUALLY-ORIENTED BUSINESSES</b> (See Chapter 154 of the Camden County Code of Ordinances for definitions).																
<b>All Adult and Sexually-Oriented Businesses</b> (See Chapter 154 of the Camden County Code of Ordinances for definitions.)		.	.	.	.	.	.	.	.	.	.	.	.	S	.	◊
	Adult and sexually-oriented businesses	.	.	.	.	.	.	.	.	x	.	.	.	S	x	
<b>ANIMAL CARE</b> The Animal Sales, Services, and Care Use Category is characterized by uses related to the provision of medical services and treatment to animals, including veterinary services, animal hospitals and the boarding of animals related to the provision of these services. Examples include animal shelters, animal grooming, kennels (outdoor and indoor), animal hospitals, and veterinary clinics.																
<b>Major</b> Animal care uses that include outdoor kennels, runs, or exercise areas.		.	S	.	.	.	.	.	.	.	P	.	S	.	A	◊
	Kennels	.	Z	.	.	.	.	S	.	x	Z	.	.	.	x	
<b>Minor</b> Animal care uses that do not include outdoor kennels, runs, or exercise areas.		.	P	.	.	.	.	P	P	.	P	.	.	.	A	◊
	Veterinarians	.	Z	.	.	.	.	Z	Z	x	Z	.	.	.	x	

**ARTICLE 151.4 USE REGULATIONS**

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<b>EATING ESTABLISHMENTS</b>																
The Eating Establishments Use Category includes use types that prepare and sell food and beverages for immediate or direct on- or off-premise consumption. Accessory uses may include bars or cocktail lounges associated with the establishment, decks and patios for outdoor seating, drive-through facilities, facilities for live entertainment or dancing, customer and employee parking areas, and valet parking facilities.																
<b>Restaurant, Major</b> An eating establishment that sells alcohol for on-site consumption or includes a drive-through.		.	.	.	.	.	.	S	P	P	P	P	S	.	A	↕
	Carry-out and delivery service, consumption outside a fully enclosed structure allowed, but no drive-in service	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
	Carry-out and delivery service, drive-in service, service outside a fully enclosed structure, with drive-in and delivery service	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
<b>Restaurant, Minor</b> An eating establishment that does not sell alcohol or includes a drive-through.		.	.	.	.	.	.	P	P	P	P	P	P	S	A	
	No substantial carry-out or delivery service, no drive-in service, no service or consumption outside a fully enclosed structure	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
	No substantial carry-out or delivery service, no drive-in service, service or consumption outside a fully enclosed structure	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
<b>Bar, Nightclub, or Dance Hall</b> An establishment primarily devoted to the sale of alcoholic beverages for on-site consumption, where the sale of food is incidental. Activities may include dancing or other forms of entertainment (including live performances that are not considered adult entertainment uses) such as billiard tables, darts, and karaoke.		.	.	.	.	.	.	S	P	P	S	S	.	.	A	↕
	Dance halls, bars and nightclubs	.	.	.	.	.	.	Z	Z	x	Z	Z	.	.	x	
<b>OFFICES</b>																
The Office Use Category includes use types that provide for activities that are conducted in an office setting and generally focus on business, professional, or financial services. Accessory uses may include cafeterias, day care facilities, recreational or fitness facilities, parking, supporting commercial, or other amenities primarily for the use of employees in the business or building. Example use types include business and sales offices (such as lenders, banks, brokerage houses, tax preparers, and real estate agents), and professional services (such as doctors, lawyers, accountants, engineers, or architects).																
<b>Major</b> An office use of 3,000 square feet of floor area or more, or where clients or patrons regularly receive services on-site.		.	.	.	.	.	.	P	P	P	S	S	S	S	A	↕
	Operations designed to attract and serve customers or clients on the premises; operation conducted within or outside building	.	.	.	.	.	.	Z	Z	x	Z	S	S	S	x	
	Offices or clinics of physicians or dentists with not more than 10,000 square feet of gross floor area	.	.	.	.	.	.	Z	Z	x	Z	Z	S	S	x	

**ARTICLE 151.4 USE REGULATIONS**

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	Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, stock brokers, travel agents and other professions; all operations conducted within a fully enclosed building		.	.	.	.	.	.	Z	Z	x	Z	Z	S	.	x	
<b>Minor</b>	An office use of less than 3,000 square feet of floor area or where clients or patrons do not receive services on-site.		.	.	.	.	.	.	P	P	P	P	P	P	S	A	<>
	Operations designed to attract little or no customer or client traffic other than employees of the entity operating the use; all operations conducted within a fully enclosed building		.	.	.	.	.	.	Z	Z	x	Z	Z	S	S	x	
<b>PARKING, COMMERCIAL</b>																	
The Commercial Parking Use Category includes use types that provide free-standing parking lots and structures that are not accessory to a specific principal use. A fee may or may not be charged. A parking facility that provides both accessory parking for a specific principal use and regular fee parking for people not connected to the principal use is also classified as Commercial Parking. Accessory uses may include small shelters for parking attendants.																	
<b>All</b>	See use category definition.		S	.	.	.	.	.	P	P	P	P	P	P	P	A	<>
<b>PERSONAL SERVICES</b>																	
An establishment meeting frequent or recurrent service needs of a personal nature, including the repair of small personal items such as shoes, watches, jewelry, and clothing. Examples include laundromats, massage therapy and day spas, laundry and dry-cleaning pick-up and drop-off establishments, banks, savings and loans, credit unions, photography studios, funeral homes and crematoriums, mailing or packaging services, photocopy services, screen printer, barber/beauty shops, and tanning and nail salons.																	
<b>Major</b>	A personal services establishment with 1,500 square feet of floor area or more.		.	.	.	.	.	.	S	S	P	P	P	.	.	A	
	Dry cleaner		.	.	.	.	.	.	S	S	x	Z	Z	.	.	x	
	Laundromat		.	.	.	.	.	.	Z	Z	x	Z	Z	.	.	x	
<b>Minor</b>	A personal services establishment with less than 1,500 square feet of floor area.		.	.	.	.	.	.	P	P	P	P	P	P	.	A	
<b>RECREATION/ENTERTAINMENT, INDOOR</b>																	
The Indoor Recreation/Entertainment Use Category includes use types that are privately owned and provide recreation or entertainment activities in an enclosed structure or structures. Accessory uses may include offices, concessions, snack bars, parking, and maintenance facilities. Example use types include country clubs, indoor commercial recreation uses (including bowling alleys, game rooms, dancehalls, and skating rinks), and theaters (including cinemas, screening rooms, and stages).																	
<b>Major</b>	Indoor recreation/entertainment uses with 2,500 square feet of floor area or more, or where the use is expected to generate more than 200 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.		.	.	.	.	.	.	S	P	P	P	S	S	.	A	<>
	Bowling alleys, skating rinks, indoor tennis and racquetball courts, billiards and pool halls, indoor athletic and exercise facilities		.	.	.	.	.	.	Z	Z	x	Z	Z	S	.	x	

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<b>Minor</b> Indoor recreation/entertainment uses with less than 2,500 square feet of floor area, or where the use is expected to generate less than 200 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.		.	.	.	.	.	.	P	P	P	P	P	P	.	A	◊
	Bowling alleys, skating rinks, indoor tennis and racquetball courts, billiards and pool halls, indoor athletic and exercise facilities	.	.	.	.	.	.	Z	Z	x	Z	Z	S	.	x	
	Movie theaters	.	.	.	.	.	.	Z	Z	x	Z	Z	.	.	x	
	Internet Sweepstakes Café Subject to Article 151.347(U)	.	.	.	.	.	.	.	S	x	S	.	.	.	x	
<b>RECREATION/ENTERTAINMENT, OUTDOOR</b>																
The Outdoor Recreation/Entertainment Use Category includes use types that are large, generally commercial, and provide continuous recreation or entertainment-oriented activities that primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting. Accessory uses may include concessions, parking, and maintenance facilities. Example use types include privately-owned arenas, amphitheaters, or stadiums, outdoor commercial recreation uses (including private golf driving ranges and privately-owned miniature golf facilities; go-cart racing; race tracks; drive-in movie theaters; privately-owned outdoor commercial tourist attractions; and privately-owned active sports facilities such as ball fields, courts, and archery ranges), athletic facilities, private golf courses, and outdoor swimming pools (private).																
<b>Major</b> Outdoor recreation/entertainment uses that involve the operation of machinery by patrons or that have the potential to generate significant amounts of noise while in operation.		.	S	.	.	.	.	.	.	.	S	.	S	S	A	◊
	Automobile and motorcycle racing tracks	.	S	.	.	.	.	.	.	x	S	.	S	S	x	
	Competitive go-kart/ATV race tracks	.	S	.	.	.	.	.	.	x	S	.	S	S	x	
	Drive-in movie theaters	.	S	.	.	.	.	.	.	x	.	S	.	.	x	
	Recreational grounds	.	.	.	.	.	.	.	.	x	S	S	.	.	x	
<b>Minor</b> Outdoor recreation/entertainment uses do not involve the operation of machinery by patrons or that do not have the potential to generate significant amounts of noise while in operation. Uses engaged in the discharge of firearms are firing ranges.		.	S	.	.	.	.	P	P	P	P	P	P	.	A	
	Privately-owned outdoor recreation facilities, such as golf and country clubs and the like, not including campgrounds, not constructed pursuant to a permit authorizing the construction of some residential development	.	Z	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
	Golf driving ranges not accessory to golf courses, par three courses, miniature golf courses, skateboard parks, water slides and similar uses	.	.	.	.	.	.	Z	Z	x	Z	Z	.	.	x	

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<b>Firing Range</b> A commercial establishment configured for the purpose of shooting at targets by rifles, pistols, shot guns, or archery. Firing ranges do not include uses with hunting leases or involved in the operation of air rifles (e.g., paintball establishments). Accessory uses include a club house, ammunition sales, and repair services.		.	S	.	.	.	.	.	.	.	.	S	S	.	⚠
	Outdoor firing range facilities, subject to 151.347	.	S	.	.	.	.	.	x	.	.	S	S	x	
<b>Water-Related Uses</b> Commercial establishments engaged in providing access to waterways for persons and equipment for the purposes of leisure pursuits. Water-related uses also include marinas. Boat slips and boat ramps that are publically owned are Recreation and Open Area uses.		.	S	.	.	.	S	S	.	.	S	.	.	A	
	Boat Ramps, Publicly-owned	.	Z	S	S	S	Z	Z	x	Z	Z	Z	Z	x	
	Boat Ramps, Privately-owned, but open to the public on a fee basis	.	S	.	.	.	S	S	x	S	S	S	S	x	
	Marinas, not associated with a residential development	.	S	.	.	.	.	.	x	.	S	.	.	x	
<b>RETAIL SALES</b> The Retail Sales Use Category includes use types involved in the sale, lease, or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale, concessions, ATM machines, outdoor display/sales areas, gasoline sales, and parking. Use types within this use category have been categorized based on their intensity, scale, and function.															
<b>Flea Market</b> A market held in an open area or structure where individual sellers offer goods for sale to the public. Such sellers may set up temporary stalls or tables for the sale of their products. Such sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items. A farmer's market, where food items predominate, is different than a flea market. This also differs from a garage sale or yard sale that is conducted on a residentially developed lot by members of a household, or civic groups selling primarily donated items.		.	.	.	.	.	S	S	.	S	S	S	.	A	⚠
<b>Grocery Store</b> An establishment for the retail sale of fresh or prepared foods for consumption primarily off-premises. Accessory uses include the sales of prepared food for on-site consumption, sale of seasonal items (like Christmas trees), and drive-up grocery loading services.		.	.	.	.	.	P	P	P	P	.	.	.	A	⚠
<b>Major</b> Retail uses with 1,000 square feet of floor area or more, or where the use is expected to generate more than 100 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.		.	.	.	.	.	S	P	P	P	S	S	.	A	⚠
	Sales and rentals, low traffic volume generation, outdoor display/storage allowed	.	.	.	.	.	S	S	x	Z	S	Z	Z	x	

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	Sales and rentals, high traffic volume generation, outdoor display/storage allowed	.	.	.	.	.	.	S	S	x	Z	S	Z	Z	x	
	Shopping center	.	.	.	.	.	.	S	S	x	S	S	.	.	x	
	Flea markets	.	.	.	.	.	.	S	.	x	S	.	.	.	x	
	Funeral homes							S	S		Z	Z	Z			
	Crematoriums		S								S		S	S		
<b>Minor</b>	Retail uses with less than 1,000 square feet of floor area or more, or where the use is expected to generate no more than 100 vehicle trips per day according to the Institute of Transportation Engineer's most recent trip generation rate manual.	.	.	.	.	.	.	P	P	P	P	P	P	.	A	↕
	Sales and rentals, low traffic volume generation, outdoor display/storage not allowed	.	.	.	.	.	.	.	.	x	.	.	.	.	x	
	Sales and rentals, high traffic volume generation, outdoor display/storage not allowed	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	Z	x	
	Convenience store	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	Z	x	
<b>STORAGE, COMMERCIAL</b>																
A storage building or buildings that are divided into sections or compartments for the storage of business or personal items on a temporary or long-term basis.																
<b>Major</b>	Commercial storage establishment that allows storage of goods, materials, or personal property indoors and outdoors.	.	.	.	.	.	.	S	.	.	P	P	P	P	A	↕
	Storage inside or outside completely enclosed structures	.	.	.	.	.	.	.	.	x	Z	Z	Z	Z	x	
<b>Minor</b>	Commercial storage establishment that allows storage of goods, materials, or personal property indoors only.	.	.	.	.	.	.	P	P	P	P	P	P	.	A	↕
	All storage within completely enclosed structures	.	.	.	.	.	.	Z	.	x	Z	Z	Z	Z	x	
<b>TELECOMMUNICATIONS</b>																
The Telecommunications Use Category involves use types engaged in the provision of wireless communications services, including transmission, reception, or broadcasting. Example uses include wireless telecommunication facilities, antennas (including dish antennas), radio and television broadcasting studios and equipment, and similar uses. Accessory uses include offices, repair areas, employee parking, equipment storage, and mobile broadcasting equipment.																
<b>Antenna Collocation (on a Building)</b>	The placement of wireless telecommunications antenna(s) and associated equipment on or in a building other than a single-family attached or detached structure. This includes the placement of equipment on water tanks or other similar structures, but not on an existing telecommunication tower or electrical transmission tower.	.	.	.	.	.	P	P	P	P	P	P	P	P	A	
	WTF, antennas, supporting structures, radio or television towers which are 35 feet or less and receive only earth stations	.	Z	Z	Z	Z	Z	Z	Z	x	Z	Z	Z	Z	x	

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<b>Antenna Collocation (on a Tower)</b> The placement of wireless telecommunications antenna(s) and associated equipment on an existing telecommunications tower or electrical transmission tower. This use type includes "eligible facilities" as identified in the North Carolina General Statutes.		.	P	.	.	.	P	P	P	P	P	P	P	A		
<b>Small Wireless Facility</b> The placement of antenna(s) and equipment of a specified maximum size on existing electrical poles, telephone poles, traffic signal mast arms, or other similar vertical projections within rights-of-way or outside rights-of-way on land within a nonresidential zoning district.		.	P	.	.	.	P	P	P	P	P	P	P	A		
<b>Telecommunications Tower, Freestanding</b> A structure erected on the ground and used primarily for the support of antennas for wireless telephone, and similar communication purposes and utilized by commercial, governmental, or other public or quasi-public users. The term includes microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term does not include private home use of satellite dishes and television antennas, or amateur radio operators as licensed by the FCC.		.	S	.	.	.	.	.	.	S	S	S	S	A	<>	
	WTF, antennas, support structures and towers of all types that are over 35 feet tall, subject to § 151.035	.	S	.	.	.	.	.	x	S	S	S	S	x		
	WTF, antennas, support structures and towers of all types that are over 300 feet tall, subject to ' 151.065	.	S	.	.	.	.	.	x	.	S	S	.	x		
<b>Telecommunications Tower, Stealth</b> A freestanding telecommunications tower that is configured to fully conceal wireless telecommunications equipment and appear as a tree, flag pole, clock tower, or other vertical projection. Stealth telecommunication towers are not considered as freestanding telecommunication towers for the sake of collocation or accommodation of small wireless facilities.		.	P	P	P	P	P	P	P	P	P	P	P	A		
<b>VEHICLE ESTABLISHMENT</b> The Vehicle Establishment Use Category includes use types involving the direct sale; rental; storage; and servicing of automobiles, trucks, motorcycles, recreational vehicles, and other consumer motor vehicles intended to transport persons or goods over land, whether for recreation, commerce, or personal transport. Accessory uses may include offices, sales of parts, maintenance facilities, parking, outdoor display, and vehicle storage.																
<b>Major</b> Establishments engaged in vehicle sales, rental, storage, towing, and major repair such as transmission, engine repair, bodywork, and repainting.		.	.	.	.	.	.	S	S	.	P	.	S	P	A	<>
	Motor vehicle and boat sales or rental or sales and service	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	

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	Automobile repair shop or body shop, provided all wrecked vehicles and parts are visually screened from the exterior of the property lines and right-of-way lines	.	Z	.	.	.	.	Z	Z	x	Z	.	Z	.	x	
<b>Minor</b>	Establishments that are primarily engaged in washing cars, tire sales, minor repair such as diagnostic work, lubricating, wheel alignment and inspections, but no vehicle sales or rental.	.	.	.	.	.	.	P	P	P	P	P	P	.	A	◊
	Car wash	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
	Gas sales operations	.	.	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
	Automobile service center	.	Z	.	.	.	.	Z	Z	x	Z	Z	Z	.	x	
<b>VISITOR ACCOMMODATIONS</b>																
The Visitor Accommodations Use Category includes use types that provide lodging units or space for short-term stays of less than 30 days for rent, lease, or interval occupancy. Accessory uses may include pools and other recreational facilities, limited storage, restaurants, bars, supporting commercial, meeting facilities, offices, and parking.																
<b>Bed and Breakfast</b>	A private residence, typically a single-family detached structure engaged in the renting of one or more rooms on a daily basis to tourists, vacationers, or business people where the provision of meals is limited to guests only.	.	P	.	.	.	S	P	P	P	.	.	.	.	A	◊
	Bed and breakfast establishments	.	Z	.	.	.	.	Z	Z	x	Z	Z	.	.	x	
	Tourist homes, rented by day or week	.	.	.	.	.	.	S	S	x	.	S	.	.	x	
<b>Campground</b>	Any area, place, parcel or tract of land on which two or more campsites are occupied or intended for occupancy or facilities established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of campsites and facilities is granted gratuitously, or by rental fee, lease or conditional sale, or by covenants, restrictions and easements. Campground includes but not limited to, a travel camp, recreational camp, family campground, camping resort, recreational vehicles park and camping community. A campground does not include a summer camp, migrant labor camp or park for manufactured homes, or a construction camp, or storage area for unoccupied camping units.	.	S	S	.	.	.	S	.	.	S	.	.	.	A	◊
	Hunting and fishing lodges	.	S	.	.	.	.	S	.	x	S	S	.	.	x	
<b>Hotel or Motel</b>	A building or group of buildings in which sleeping accommodations are offered to the public and intended for temporary occupancy on an overnight or short term basis. Accessory uses may include restaurants, bars, offices, and onsite recreational facilities. Some rooms may include in-room kitchen, dining, and laundry facilities.	.	.	.	.	.	.	.	S	P	S	S	.	.	A	
	Hotels, motels and similar businesses	.	.	.	.	.	.	.	S	x	S	S	.	.	x	



**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

<b>TABLE &lt;&gt;: PRINCIPAL USE TABLE</b>															
"P"= Permitted      "S"= Permitted with Special Use Permit      "."= Prohibited															
USE CATEGORY Use Type Description	Current Use (provided for comparative purposes only- rows removed upon adoption)	RESIDENTIAL					COMMERCIAL					IND.		ADDITIONAL STANDARDS (151.4)	
		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)
<b>INDUSTRIAL USE CLASSIFICATION</b>															
<b>EXTRACTIVE INDUSTRY</b>															
The Extractive Industry Use Category includes use types involving the extraction, removal, or basic processing of minerals, liquids, gases, or other natural resources (including gravel, sand, clay, or topsoil). Such uses also include quarrying, well operation, mining, or other procedures typically done at an extraction site. Accessory uses include offices, limited wholesale sales, security or caretakers quarters, outdoor storage, and maintenance facilities.															
<b>All</b> See use category definition.	.	S	.	.	.	.	.	.	.	.	.	S	S	.	↕
Mining or quarrying operations, including on-site sales of products	.	S	.	.	.	.	.	x	.	.	.	S	S	x	
<b>INDUSTRIAL SERVICES</b>															
The Industrial Services Use Category includes use types involving the repair or servicing of industrial, business, or consumer machinery equipment, products, or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include limited retail or wholesale sales, offices, parking, warehousing, and outdoor storage. Contractors and others who perform services off-site are included in the Offices Use Category if equipment and materials are not stored outside and no fabrication, services, or similar work is carried on at the site.															
<b>Contractor Service</b> Offices for building, heating, plumbing, or electrical contractors, and related storage facilities.	.	.	.	.	.	.	.	.	P	P	P	P	A		↕
<b>Crabshedding</b> An operation in the crab harvesting industry that involves the controlled shedding or molting of blue crabs to produce the more commercially valuable soft-shelled form. Soft crab shedding systems are designed to put near-molt crabs in a controlled environment, so they can efficiently be harvested during the period that the shell is soft. Accessory uses include indoor or outdoor storage of crab pots.	.	.	.	.	.	.	.	.	.	P	P	S	.		↕
Crabshedding	.	.	.	.	.	.	.	x	.	Z	.	.	x		
<b>Fuel Oil or Bottled Gas Distributor</b> An establishment that distributes fuel oil or bottled gases such as propane or liquid petroleum for compensation.	.	.	.	.	.	.	.	S	.	.	P	P	.		↕
<b>General Industrial Service and Repair</b> Establishments engaged in the repair or servicing of agriculture, industrial, business, or consumer machinery, equipment, products, or by-products. Firms that provide these services do so by mainly providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site. Accessory activities may include retail sales, offices, parking, and storage.	.	.	.	.	.	.	.	.	S	S	P	P	A		↕
<b>Heavy Equipment Sales, Rental, or Service</b> An establishment engaged in the display, sale, leasing, servicing, or rental of heavy equipment of 12,000 or more pounds gross vehicular weight (GVW). The use may also consist of a vehicle or series of vehicle that service or repair heavy equipment on-site.	.	.	.	.	.	.	.	.	P	S	P	P	A		↕

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

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USE CATEGORY Use Type Description	Current Use (provided for comparative purposes only- rows removed upon adoption)	RESIDENTIAL						COMMERCIAL					IND.		ADDITIONAL STANDARDS (151.4)	
		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)	HI (I-2)		PD (NEW)
<b>Research and Development</b>																
A business that engages in research, or research and development, of innovative ideas in technology-intensive fields. Examples include research and development of computer software, information systems, communication systems, transportation, geographic information systems, multi-media and video technology. Development and construction of prototypes may be associated with this use.																
		.	.	.	.	.	.	.	P	S	P	P	P	S	A	<>
<b>MANUFACTURING AND PRODUCTION</b>																
The Manufacturing and Production Use Category includes use types involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. The use category also includes custom industries (establishments primarily engaged in the on-site production of goods by use of hand tools and small-scale equipment). Goods are generally not displayed or sold on site, but if so, such sales are a subordinate part of total sales. Relatively few customers come to the manufacturing site. Accessory uses may include retail or wholesale sales, offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets, fueling facilities, security and caretaker's quarters. Manufacturing of goods to be sold primarily on-site and to the general public is classified as Retail Sales if the manufacturing area does not exceed 35 percent of the development's gross floor area.																
<b>Manufacturing, Heavy</b>																
The manufacture or compounding process of raw materials. These activities may involve outdoor operations as part of their manufacturing process.																
	Operations conducted within or outside a fully enclosed building	.	.	.	.	.	.	S	S	x	S	S	Z	Z	x	
<b>Manufacturing, Light</b>																
The mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to wholesale or retail markets or directly to consumers. Such uses are wholly confined within an enclosed building, do not include processing of hazardous gases and chemicals, and do not emit noxious noise, smoke, vapors, fumes, dust, glare, odor, or vibration.																
	Majority of dollar volume of business done with walk-in trade; all operations in fully-enclosed building	.	Z	.	.	.	.	Z	Z	x	Z	Z	Z	Z	x	
	Majority of dollar volume business not done with walk-in trade; all operations in fully-enclosed building	.	Z	.	.	.	.	Z	Z	x	Z	Z	Z	Z	x	
<b>POWER GENERATION</b>																
The Power Generation Use Category includes use types, whether institutional in nature or for profit, engaged in the production and short term storage of electrical power for use by other forms of development in different locations. Accessory uses include offices, equipment buildings, maintenance and repair facilities, and fencing or other security measures.																
<b>Solar Array</b>																
Two or more solar collectors or photovoltaic panels configured as a principal use and intended to capture energy from sunlight, convert it to electricity, and save or deliver the electricity for off-site use.																
	Solar farms	.	S	S	S	S	S	S	S	.	S	S	S	S	A	<>
		.	S	S	S	S	S	S	S	x	S	S	S	S	x	

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

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		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)
<b>Wind Energy Conversion Facility</b> A utility comprised of one or more towers each including a turbine with a series of two or more blades that produce energy when driven by the wind.		.	S	.	.	.	.	.	.	S	.	S	S	A	◀▶
Medium wind turbines		.	S	S	S	S	S	S	x	S	S	S	S	x	
Large wind turbines		.	S	.	.	.	S	S	x	S	S	S	S	x	
<b>WAREHOUSE AND FREIGHT MOVEMENT</b> The Warehouse and Freight Movement Use Category includes use types involving the storage or movement of goods for themselves or other firms or businesses. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present. Accessory uses include offices, truck fleet parking, outdoor storage, and maintenance areas. Use types that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related Services.															
<b>All</b> See use category definition.		.	.	.	.	.	.	.	S	P	P	P	P	A	◀▶
<b>WASTE-RELATED SERVICES</b> The Waste-Related Services Use Category includes use types that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material or processing of scrap or waste material. This use category also includes use types that receive wastes from others. Accessory uses may include offices, outdoor storage, recycling of materials, and repackaging and trans-shipment of by-products. The Waste-Related Services Use Category does not include wastewater treatment plants and potable water treatment plants; these are classified as Utilities.															
<b>Incinerator</b> A facility that burns refuse at high temperatures to reduce the volume of waste.		.	.	.	.	.	.	.	.	.	.	.	S	.	◀▶
Incinerators		.	.	.	.	.	.	.	x	.	.	.	S	x	
<b>Land Application of Sludge/Septage</b> The deposition of industrial processes or treated waste on land intended expressly for that purpose.		.	.	.	.	.	.	.	.	.	.	S	S	.	◀▶
<b>Landfill</b> An area of land or an excavation used for disposal of solid waste.		.	.	.	.	.	.	.	.	.	.	S	S	.	◀▶
Reclamation landfill		.	Z	.	.	.	.	.	x	Z	.	Z	Z	x	
Sanitary Landfill and Convenience Centers, County-owned and operated		.	S	Z	Z	Z	Z	Z	x	Z	Z	Z	Z	x	
Sanitary Landfill and Convenience Centers, Other		.	.	.	.	.	.	.	x	.	.	Z	Z	x	
Demolition landfill		.	.	.	.	.	.	.	x	.	.	S	S	x	
<b>Public Convenience Center or Transfer Station</b> A publicly-owned and operated facility for the purposes of collection of trash and waste for relocation to a sorting facility or permanent long term storage location.		.	S	.	.	.	.	.	.	P	.	P	P	.	◀▶
<b>Recycling Center</b> A facility engaged solely in the storage, processing, resale, or reuse of recyclable and recovered materials.		.	S	.	.	.	.	.	.	P	P	P	P	A	◀▶

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.3 Principal Uses**

4.3.10 Principal Use Table79F

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		CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)		HI (I-2)	PD (NEW)
<b>Salvage or Junkyard</b> An establishment where junk, waste, discarded, salvaged, or similar materials such as old metals, wood, slush, lumber, glass, paper, rags, cloth, bagging, cordage, barrels, containers, and the like, are brought, sold, exchanged, baled, packed, disassembled, stored, or handled, including used lumber and building material yards, housewrecking yards, heavy equipment wrecking yards, and yards or places where salvaged house wrecking or structural steel materials are stored, handled, and sold.		.	.	.	.	.	.	.	.	.	.	S	S	.	↕	
	Scrap materials, salvage yards, junk yards and automobile graveyards	.	.	.	.	.	.	.	x	.	.	S	S	x		
<b>Waste Composting Facility</b> Uses where organic solid wastes are composted using composting technology. Accessory uses may include offices and repackaging and transshipment of by-products.		.	S	.	.	.	.	.	.	.	.	S	S	.	↕	
<b>WHOLESALE SALES</b> The Wholesale Sales Use Category includes use types involving the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or taking of orders and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer. Accessory uses may include offices, product repair, warehouses, minor fabrication services, outdoor storage, and repackaging of goods.																
<b>Major</b> A wholesale use located in a building of more than 7,000 square feet of gross floor area, or that includes outdoor storage.		.	.	.	.	.	.	S	S	.	P	S	P	P	A	↕
	Wholesale sales – outdoor storage and display allowed	.	.	.	.	.	.	S	S	x	Z	S	Z	Z	x	
<b>Minor</b> A wholesale use located in a building of 7,000 square feet of gross floor area or less that does not include outdoor storage.		.	.	.	.	.	.	P	P	.	P	P	P	P	A	↕
	Wholesale sales – outdoor storage and display not allowed	.	.	.	.	.	.	S	S	x	Z	Z	Z	Z	x	

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.1 Agriculture Uses

## 4.4 USE-SPECIFIC STANDARDS<sup>81</sup>

Use-specific standards are the requirements applied to individual use types regardless of the zoning district in which they are located or the review procedure by which they are approved. This section is intended to identify the use-specific standards for all principal uses identified in [Table <>](#), [Principal Use Table](#), as identified in the “Additional Standards” Column. These standards may be modified by other applicable requirements in this Ordinance.

### 4.4.1 AGRICULTURE USES

#### A. Agriculture/Horticulture Uses

1. No heated greenhouse shall be operated within 20 feet of any lot line.
2. Any outside storage of equipment, vehicles, or supplies shall be fully screened from off-site views from the closest collector or arterial street by buildings, fencing, or landscaping.

#### B. Animal Husbandry

Animal husbandry uses shall comply with the following standards:

##### 1. Minimum Site Size

- a. Any use engaged in animal husbandry shall have a minimum lot area of at least 40,000 square feet in size.
- b. Uses maintaining non-hoofed animals shall maintain 1,500 square feet per animal kept on site.
- c. Uses maintaining hoofed animals shall maintain 9,000 square feet per animal kept on site.

##### 2. Minimum Setbacks

All barns, pens, and enclosures shall be located at least 100 linear feet from lot lines and drinking water sources (except those intended for livestock).

##### 3. Fencing or Pens Required

Animals (excluding waterfowl) shall be maintained within pens, fenced areas, or other suitable enclosures.

##### 4. Maintenance Required

- a. Pens, stalls, and grazing areas shall be maintained in a sanitary manner free from noxious odors.
- b. Manure stockpiles shall not exceed six feet in height and shall not be permitted during the period from May 1 until August 31.

##### 5. Additional Standards for Stockyards and Slaughterhouses

- a. Stockyards and slaughterhouses shall comply with the applicable standards in Section 143-215.10.A through 10.I of the North Carolina General Statutes.
- b. Slaughter of animals shall take place inside a closed building in a confined area to prevent the transmission of sound to the outside.
- c. Vehicular access to the facility shall not be obtained through residential areas.
- d. Animals shall be enclosed in gated enclosures with a minimum height of six feet.
- e. Waste shall be stored in airtight containers and shall be confined in fully enclosed structures.
- f. All loading and unloading areas shall be screened from view from adjacent lands and public streets.

#### C. Agricultural Support

##### 1. General

All agricultural support uses shall comply with the following standards:

- a. Be on a lot of at least one acre in size; and
- b. Be operated or maintained by the owner or occupant of the land upon which the primary agricultural activity is being conducted.

##### 2. Agri-education and Agri-entertainment<sup>82</sup>

Agri-education and agri-entertainment uses shall comply with the following standards:

- a. **Minimum Size**  
The use shall be at least two acres in area;
- b. **Location**

<sup>81</sup> This section is proposed to supplement Sections 151.346 and 151.347 of the current ordinance. Use-specific standards for “recreation grounds”, adaptive re-use of historic property, shopping centers, and internet sweepstakes cafes are not carried forward. In addition, the conditional and special use standards for LI zoned districts in Section 151.347.E are not carried forward since there are district-specific standards.

<sup>82</sup> This section is proposed to replace the standards in Section 151.347.L of the current ordinance, but the sign size limitation is not carried forward due to inconsistency with the Reed decision.

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## ARTICLE 151.4 USE REGULATIONS

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### Section 4.4 Use-Specific Standards80F

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#### 4.4.1 Agriculture Uses

No building or structure shall be located within 500 feet of a residential dwelling unit other than the residence of the applicant.

**c. Obtain Building Permits**

The use shall obtain any required building permits and comply with the State Building Code for all structures intended for occupancy by members of the public.

**d. Provide Adequate Facilities**

The use shall provide public restrooms, adequate parking, and pedestrian circulation features to ensure the safety of the public.

**e. Maintain Compatibility**

1. The proposed use will not substantially injure the value of adjoining or neighboring properties, and the burden of proof on this issue lies with the applicant.

2. If the applicant presents a petition, signed by the owners of all properties entitled to receive notice of the hearing on the application pursuant hereto, and stating that the property owners believe their property values will not be adversely affected by the proposed use, this shall be sufficient evidence from which the Board may make the required finding.

**3. Equestrian Facilities**

Equestrian facilities shall comply with the following standards:

a. The land on which the facility is located shall be at least two acres in size.

b. No stalls or stables shall be within 200 feet of any existing adjoining residential dwelling and 100 feet from any adjoining well being used for human consumption.

c. Stables must be operated and maintained in a healthy and safe manner. Healthy and safe is defined as, but not limited to: fences kept in good repair; potable water available on demand; protection from wind or rain; a sign posted indicating the name and phone number of the person to be contacted in case of emergency.

**4. Roadside Market**

a. Retail sales within a roadside market shall be limited to the agricultural and aquaculture products produced by the owners or vendors in the establishment.

b. At least 75 percent of the floor area shall be devoted to the direct retail sales of agricultural, seafood, or related agricultural products to the general public.

c. Temporary signage associated with a roadside market shall not be erected more than 30 days prior to the seasonal opening of the market, and shall be removed within 30 days of the closing of the season.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.2 Residential Uses

### 4.4.2 RESIDENTIAL USES

#### A. Bungalow Court

A bungalow court is a voluntary single-family detached dwelling alternative that allows lot access via a shared driveway configured as a central motor court (see Figure <>, Bungalow Court). A bungalow court shall:

1. Comply with the requirements in Section <>, Design Guidelines;
2. Be located on a site of at least one acre, but not more than ten acres in area;
3. Be limited to single-family detached dwellings as the principal use;
4. Be configured so that each dwelling unit obtains vehicular access via a common shared driveway that is:
  - a. Located on common area maintained by a homeowner's association;
  - b. Comprised of concrete, brick, or pavers; and
  - c. Located central to the development.
5. Be limited to no more than five dwelling units sharing the same common shared driveway (see Figure <>, Bungalow Court Development);
6. Comply with the dimensional requirements applied to a single-family attached development; and
7. Not exceed the maximum allowable density in the district where located.

FIGURE <>: BUNGALOW COURT



#### B. Duplex and Triplex Dwellings

Duplex dwellings shall comply with the following standards:

1. Except for circular driveways, no duplex dwelling shall be served by more than one driveway on the same block face.
2. Duplex dwellings in the VR district shall be served by a single entrance on any individual building façade.
3. Ground based, roof-based, and wall-mounted electrical equipment, HVAC equipment, and other utility connection devices shall be ganged and screened, or located outside the view from any adjacent public street.

#### C. Live/Work Dwellings

Live/work dwellings shall comply with the following standards:

1. The residential portion of the building shall occupy over 50 percent of the gross floor area.
2. The nonresidential portion of the building shall comply with all applicable State Building Code requirements.
3. Employees shall be limited to occupants of the residential portion of the building plus up to three persons not residing in the residential portion.
4. Drive-through facilities are prohibited.
5. Any nonresidential off-street parking shall be located as far as practicable from existing adjacent single-family dwellings.

#### D. Manufactured Homes

##### 1. Standards Applied to All Manufactured Homes

New manufactured homes shall comply with the following standards:

- a. It shall be located on an individual lot;
- b. It shall be occupied only as a single family dwelling;

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.2 Residential Uses

- c. It shall be set up in accordance with the standards established by the North Carolina Department of Insurance and the most current version of the State of North Carolina Regulations for Manufactured/Mobile Homes;
- d. It shall comply with the latest wind loading requirements for Camden County;
- e. It shall maintain a minimum width of 16 feet;
- f. It shall be oriented with the longest axis parallel to the lot frontage, to the maximum extent practicable;
- g. Towing apparatus, wheels, axles, and transporting lights shall be removed;
- h. It shall include a continuous, permanent masonry foundation or masonry curtain wall of solid brick or brick veneer, unpierced except for required ventilation and access, installed under the perimeter;
- i. It shall include stairs, entrance platforms, ramps, or other means of entrance and exit that are installed or constructed in accordance with the standards set by the State Building Code. They shall be attached firmly to the primary structure and anchored securely to the ground;
- j. It shall maintain exterior siding comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction, which consists of one or more of the following:
  - 1. Vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint);
  - 2. Cedar or other wood siding;
  - 3. Stucco siding;
  - 4. Brick or stone siding;
- k. It shall maintain a roof pitch with a minimum vertical rise of 3 feet for each 12 feet of horizontal run;
- l. It shall include a roof finished with a Class C or better roofing material that is commonly used in standard residential construction;
- m. It shall provide an eave projection of no less than 6 inches, which may include a gutter; and
- n. It shall comply with all applicable standards in **Section <>, Special Flood Hazard Area Overlay (SFHA)** when located in a floodplain or other area subject to the flood damage protection standards in this Ordinance.

#### 2. Standards for Pre-existing Manufactured Homes

- a. Nothing shall limit the replacement of a single-wide manufactured home with a double-wide manufactured home of 16 feet in width or more.
- b. Manufactured homes established prior to **(insert the effective date of this Ordinance)** that do not meet the County's most recent wind loading standard may remain as a nonconforming use, but may only be replaced by another manufactured home meeting the County's most current wind loading requirements.

### E. Mobile Homes<sup>83</sup>

#### 1. General

A mobile home shall comply with the following standards:

- a. No mobile home may be parked for storage on any lot, tract, or parcel, except in HC, LI, or HI districts, or in a lawfully-established mobile home storage site subject to a temporary storage permit issued by the UDO Administrator.
- b. A storage site for a mobile home shall be completely surrounded by a visually opaque wall or fence of at least eight feet in height.
- c. Except for lawfully-established mobile home sales uses, no mobile home may be stored in any district for more than three months.
- d. Mobile homes may not be used as storage structures.
- e. Except for mobile homes being temporarily stored, a mobile home shall be anchored and tied down or otherwise secured according to the manufacturer's standards of the State Department of Insurance, and all applicable requirements of this Ordinance.
- f. No attached structures shall be permitted which exceed 100 square feet nor may the total of all accessory buildings in individual ownership exceed 100 square feet per mobile home unit.
- g. Two or more mobile homes shall not be joined or connected together as one dwelling nor may a mobile home be attached to any accessory building.

#### 2. Additional Standards for Mobile Home Storage Sites

A mobile home storage site may be permitted within a lawfully-established mobile home park subject to the a temporary storage permit and the following standards:

<sup>83</sup> NOTE: These standards carry forward the standards for mobile homes in Section 151.215 of the current ordinance. Section 151.069 of the current ordinance includes additional design standards for mobile homes in the R-1 (new VR) and R-2 (new NR) districts. The draft of the new UDO prohibits mobile homes in these two districts, so the current standards are not included in this draft.



## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.2 Residential Uses

- a. The mobile home park must contain at least 20 lots and no more than ten homes being occupied as residences;
- b. The storage site must be located on the same lot, tract, or parcel as the mobile home park;
- c. The size of the mobile home storage site shall not exceed five percent of the total area of all mobile home lots in the park or 40,000 square feet, whichever area is smaller;
- d. The mobile home storage site shall be completely surrounded by an opaque fence at least eight feet in height;
- e. No mobile home may be stored in a mobile home storage site for more than six months.
- f. It is the intent of this section to allow some relief to owners and operators of mobile home parks who have abandoned mobile homes in their parks or have seized or attached mobile homes under legal process. Only mobile homes which have been abandoned or are in the possession of the mobile home park operators under legal process may be stored and sold in a mobile home park storage site. It is not the intent of this section to allow a mobile home sales lot within a mobile home park and no private sales by persons other than the operators and owners of mobile home parks may be allowed within the storage site.
- g. Upon request by the UDO Administrator, the mobile home park owner or operator shall submit proof that the mobile homes located within the storage site are those abandoned mobile homes or mobile homes seized or attached under legal process which are permitted under this section.

#### F. Multi-family, Single-Family Attached, and Quadraplex Dwellings

1. Multi-family and quadraplex dwellings shall comply with the multi-family design standards in [Section <>](#), [Multi-family Design Standards](#).
2. Single-family attached development may comply with the applicable single-family attached design guidelines in [Section <>](#), [Design Guidelines](#).
3. No accessory structure shall be less than ten feet from another structure.
4. No improved recreation area shall be located within required exterior setbacks or within 20 feet of any dwelling unit.
5. No individual building shall exceed a length of 250 feet.
6. A single-family attached residential building shall contain at least three but no more than six side-by-side dwelling units.

#### G. Pocket Neighborhood<sup>84</sup>

##### 1. Purpose and Intent

A pocket neighborhood is a group of smaller single-family detached dwellings built in close proximity to one another around a small green or commonly-owned open space with off-street parking areas to the rear or in common areas (see [Figure <>](#), [Pocket Neighborhood](#)). These standards are intended to provide greater housing options as well as providing a means for accommodating infill in established portions of the County.

<sup>84</sup> This is a new use type.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards80F

#### 4.4.2 Residential Uses

FIGURE <>: POCKET NEIGHBORHOOD



#### 2. Site Configuration

##### a. Development size

It shall be located on a parcel of land at least one-third (1/3) of an acre and no greater than four acres in area.

##### b. Allowable Uses

1. Pocket neighborhoods shall be limited to single-family detached dwellings and accessory uses.
2. Accessory uses may include common open space, a common building for the purposes of storage or recreation, outdoor recreational features, and garages.

##### c. Number of Dwellings

A pocket neighborhood shall include at least four, but no more than 12 dwellings. In no instance shall the gross density of the development exceed a 10 percent increase in the density of the underlying base zoning district.

##### d. Common Open Space

1. The pocket neighborhood shall include common open space that comprises at least 40 percent of the total site and includes improved pedestrian walkways that provide pedestrian access to each dwelling, shared parking areas, common buildings, and the public sidewalk network (if one exists adjacent to the pocket neighborhood development). The common open space shall include a central green, lawn, or garden area fronting the dwellings, a shared off-street parking area, and a perimeter buffer area that incorporates landscaping materials, existing vegetation, or other features to buffer the pocket neighborhood from adjacent development. No buffer is necessary next to vacant land.
2. The central green or lawn area shall include at least 300 square feet of area for each dwelling in the development.
3. A common building located within the common open space area may be included as an accessory use, but in no instance shall the common building exceed 1,500 square feet or serve as a permanent dwelling unit.

##### e. Lot Frontage

1. At least 60 percent of the individual building lots shall front the common open space area, not a street or alley.
2. Up to 40 percent of the lots may front a street. Homes on street-facing lots shall include a front porch and shall not include an attached garage that faces the street.

##### f. Surface Parking

1. Pocket neighborhoods are exempt from the parking standards in [Table <>, Minimum Off-Street Parking Standards Required](#).

# ARTICLE 151.4 USE REGULATIONS

## Section 4.4 Use-Specific Standards<sup>80F</sup>

### 4.4.2 Residential Uses

2. The pocket neighborhood may include a shared parking area that accommodates resident and guest parking.
  3. Surface parking areas shall include at least one parking space for each dwelling unit.
  4. Provision of resident parking spaces within a shared parking area is not required in cases where resident parking is provided through individual driveways or by parking spaces along alleys.
- g. Detached Shared Garages**  
If provided, detached garages serving more than one dwelling shall be accessed via a private drive or alley. A garage shall not exceed five car bays or include individual garage doors wider than 12 feet each.
- h. Storage Space**  
Each individual dwelling shall have at least 40 square feet of covered storage space outside the heated floor area. Storage space may be located on an individual lot or on common land adjacent to a common building.
- i. Perimeter Buffer**  
A pocket neighborhood shall incorporate a Type B perimeter buffer along all lot lines shared with existing single-family detached dwellings.
- j. Private Drives**  
Vehicular entryways into pocket neighborhoods and accessways serving off-street parking areas and individual dwelling lots shall be configured as private drives.
- 3. Individual Lot Configuration**  
**Table <>, Pocket Neighborhood Lots**, sets out the dimensional requirements for individual lots.

TABLE <>: POCKET NEIGHBORHOOD LOTS	
FEATURE	REQUIREMENT
Minimum lot size (sq ft)	None
Maximum lot coverage (%)	75
Minimum lot width (ft)	20
Minimum front setback (ft)	10 from open space; zoning district requirement from street [1]
Minimum side setback (ft)	3 one side; 15 other side [1]
Minimum rear setback (ft)	None [2]
NOTES: [1] Porch steps, ramps, fences, and walkways may encroach into the front setback in accordance with <b>Section &lt;&gt;, Rules of Measurement</b> , but no other structures shall be permitted to encroach into the required setback. [2] When an individual lot includes a driveway, the minimum rear setback shall be 20 feet.	

- 4. Dwelling Unit Configuration**
- a. Maximum Height**  
A dwelling unit shall not exceed 1½ stories, or 24 feet, above grade.
- b. Dwelling Size**
1. A dwelling unit shall be at least 600 square feet in floor area, but not more than 2,000 square feet in floor area.
  2. At least 2 dwellings in a pocket neighborhood shall maintain a total square footage that differs by at least 200 square feet in floor area from the average square footage of all other dwellings. Nothing shall prohibit a configuration where all dwellings are different sizes.
- c. Fences**  
Pocket neighborhoods are exempted from the standards in **Section <>, Fences and Walls**, but shall comply with the following:
1. Fences within front yards or side yards forward of the front façade plane shall not exceed three feet in height.
  2. Fences in rear yards or side yards behind the front facade plane shall not exceed six feet in height.
  3. In no instance shall a fence be placed within a use or access easement.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.3 Institutional Uses

##### 5. Homeowner's Association

A pocket neighborhood shall include a homeowner(s) or property owner(s) association that maintains control of common areas and takes responsibility for maintenance of common features in the neighborhood established and configured in accordance with Section <> Homeowners' or Property Owner's Association.

##### H. Single-Family Detached

###### 1. Design

Single-family detached development may comply with the applicable single-family detached design guidelines in Section <>, Design Guidelines.

###### 2. Home Determined Unfit for Occupancy<sup>85</sup>

- a. In the event that a Building Inspector has found a site-built home as being unfit for human habitation, the dwelling unit shall be removed or rendered habitable again.
- b. During construction to make the home habitable again, the site may temporarily accommodate a temporary dwelling, subject to the standards in Section <>, Temporary Buildings.

##### I. Upper Story Residential

Upper story residential dwelling units shall occupy the second or higher floor of a building with a nonresidential use on the ground floor.

##### J. Dormitories

All dormitories shall be accessory to an educational facility located on the same site or campus, and house only persons who are students at the educational facility.

##### K. Family Care Homes

Family care homes are residential uses and shall comply with the following standards:

1. No more than six residents other than the homeowner and the homeowner's immediate family may occupy a family care home.
2. A family care home shall be licensed with the NC Department of Health and Human Services Division of Facility Services before operating.
3. No family care home may be located within a one-mile radius of any other family care home or group home.
4. Only incidental and occasional medical care may be provided in a family care home.

##### L. Group Home

1. A group home is treated as an institutional (not a residential) use, and shall comply with all State licensing requirements.
2. No family care home may be located within a one-mile radius of any other group home or family care home.

##### M. Rooming House

A rooming house shall comply with the following standards:

1. Rooms may be rented to a maximum of five unrelated persons at any one time;
2. The owner shall maintain the house as a primary residence;
3. Sleeping rooms in a rooming house shall:
  - a. Not include individual kitchen facilities; and
  - b. Be accessed by a common room or hallway, and shall not have individual access to the outside (except for emergency exits).

### 4.4.3 INSTITUTIONAL USES

##### A. Child Care Center

###### 1. Licensing

Child care centers, including pre-schools, shall be licensed as a child care center by the State, and shall comply with all State regulations for child care centers and the following standards.

###### 2. Minimum Lot Size

A child care center shall be located upon a lot of 20,000 square feet in area or more.

###### 3. Location

- a. If not located in a stand-alone building, a child care center shall be segregated (including the restrooms) from the remaining portion of the building in which it is located.
- b. New child care centers shall be located on a major arterial or collector street.

<sup>85</sup> This section carries forward the standards in Section 151.347.K of the current ordinance except that the special use permit requirement is not carried forward.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.3 Institutional Uses

##### 4. Separation

Child care centers shall be at least 1,000 feet from any other child care center (excluding child care centers operated by community centers, religious institutions, or educational facilities).

##### 5. Outdoor Play Areas

Outdoor play areas shall be provided, and shall:

- a. Be located to the side or rear of buildings;
- b. Be completely enclosed by a fence that is at least four six in height;
- c. Be safely segregated from parking, loading, or service areas; and
- d. Not be operated for outdoor play activities after 8:00 P.M.
- e. Outdoor play areas adjacent to a residential zone shall be screened by a six-foot solid fence or wall along with a ten-foot-wide landscaping buffer with evergreen shrubs capable of reaching six feet in height at maturity, planted six feet on-center.

##### 6. Parking Area, Vehicular Circulation, and Drop-Off and Pick-Up

- a. The parking areas and vehicular circulation for the child care center shall be designed to:
- b. Enhance the safety of children as they arrive at and leave the facility; and
- c. Provide a designated pickup and delivery area that includes at least one parking space per 20 children and is located adjacent to the child care center in such a way that children do not have to cross vehicular travel ways to enter or exit the center.

##### 7. Accessory Uses

When proposed as an accessory use to a Retail Sales or Office use, the heated floor area of a child care center shall not exceed 20 percent of the heated floor area of the principal use.

##### 8. Capacity Information

Applications for a child care center shall indicate the maximum number of children, proposed hours of operation, and size of the outdoor play area.

#### B. Educational Facilities, Major

All facilities within a vocational or trade school which typically generate significant noise or fumes, such as auto body or engine repair, industrial/auto body painting, manufacturing processes, or campus-wide energy/utility systems, and that are adjacent to a residential or mixed-use district shall comply with the following standards:

1. Be at least 100 feet from any building line in an adjacent residential district;
2. Provide a Type A buffer at least 25 feet in depth; and
3. Include information on site plans indicating any other mitigation steps appropriate to the impacts of the use(s) (such as additional sound-containment features.)

#### C. Drug or Alcohol Treatment Facility

A drug or alcohol treatment facility shall comply with the following standards:

1. Be at least 500 feet from any other such facility; and
2. Be at least 500 feet from any single-family residential district, school, child care center, and religious institution that has a child care center or school.

#### D. Hospitals

A hospital shall comply with the following standards:

1. Be located on a site or parcel with an area of at least five acres;
2. Be located on a parcel that fronts or has direct access to a major arterial or collector street;
3. Locate the emergency vehicle entrance on a major arterial or collector street;
4. Not locate an emergency vehicle entrance in an area across the street from a residential zoning district;
5. Be served by a public water and wastewater system; and
6. Ensure that principal structures are located at least 100 feet from any lot line.

#### E. Assisted Living Facility

An assisted living facility shall comply with the following standards:

1. If provided, shared food preparation, service, and major dining areas shall be centrally located.
2. Common social and service facilities shall be provided at a minimum rate of 30 square feet per dwelling or rooming unit in addition to the minimum amount of required open space.
3. All facilities and services shall be solely for the use of residents and their guests.
4. Facilities for administrative services and limited medical services for the exclusive use of the residents may be located on the site.
5. In the VR district, residential density should be calculated such that two bedrooms shall be equivalent to one dwelling unit.

#### F. Club or Lodge

A club or lodge shall comply with the following standards:

1. Not front or gain access from a residential local street.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.3 Institutional Uses

2. Outdoor courts, swimming pools, and athletic fields shall be located at least 50 feet from any lot line abutting a residential district.
3. Clubs or lodges in residential districts shall be on a lot of at least 2 acres.
4. Clubs or lodges with permanent seating for 500 or more shall require a special use in accordance with **Section <>, Special Use Permit.**

#### G. Halfway House

Halfway houses shall be separated from any family care home, group home, or other halfway house by a minimum of one mile.

#### H. Nursing Home

A nursing home shall be subject to the following standards:

1. No building shall be located closer than 40 feet to any lot line which abuts a residential district.
2. The use shall provide a Type A perimeter buffer adjacent to all lot lines abutting a residential use.
3. There shall be at a minimum 50 feet of road frontage.
4. Adequate provisions shall be made for service vehicles with access to the building at a side or rear entrance, and without backing onto rights-of-way to exit the development.
5. All structures shall be built to a residential scale consistent with the surrounding neighborhood.

#### I. Religious Institution

Religious institutions shall be subject to the following standards:

1. There shall be at a minimum 50 feet of road frontage.
2. The proposed parking facilities shall be set back at least 50 feet from adjacent residential uses.
3. Off-street parking areas shall be surfaced and maintained to provide a durable, dust-free surface and shall provide adequate drainage facilities for disposal of all collected surface water. Surfacing materials may include pavement, gravel, wood chips, pervious paving materials, or grass.

#### J. Cemeteries (as a Principal Use)

Except as otherwise required in this UDO, new cemeteries and the expansion of existing cemeteries (as a principal use) shall comply with the following standards:

1. New cemeteries shall be located on a site or parcel with an area of at least 2.5 acres (this standard shall not apply to existing cemeteries or the expansion of existing cemeteries).
2. New cemeteries shall be located on a site or parcel that fronts a major arterial or collector street (this standard shall not apply to existing cemeteries or the expansion of existing cemeteries).
3. Cemeteries shall include adequate space for the parking and maneuvering of funeral processions.
4. Interments shall take place at least 50 feet from any lot line and comply with all requirements of the North Carolina General Statutes.

#### K. Helicopter Landing Facilities

A helicopter landing facility shall comply with the following standards:

1. The helicopter landing facility shall provide adequate land area for safe take-offs and landings in accordance with standards of the Federal Aviation Administration (FAA).
2. Where located within 500 feet of residential zoning district, or existing single-family residential use, a helicopter landing facility shall provide a Type A buffer along the property line to ensure the facility does not adversely impact surrounding uses.

#### L. Security Training Facility<sup>86</sup>

##### 1. Minimum Size

A minimum lot size for a security training facility shall be 3,500 contiguous acres. All areas within the proposed Security Training Facility, including but not limited to firing area(s), backstops, downrange safety zones, parking and accessory areas, parachute landing zone(s), driver training area(s), etc. shall be under uniform control or ownership. The security training facility shall also comply with the following standards:

##### 2. Firearms and Explosive Training

Firearms and explosive training facilities shall comply with the following standards:

- a. The design criteria for all firearms ranges cited in the Military Handbook – Range Facilities and Miscellaneous Training Facilities other Than Buildings (MIL-HDBK-1027/3B), as amended.
- b. No firing or explosive training activities shall occur prior to 7 a.m. or after 10 p.m. EST, daily, Monday through Saturday, and on Sundays prior to 9 a.m. or after 10 p.m. EST. No firing or explosive training activities shall occur on Christmas Day.
- c. The immediately adjacent areas to the proposed training areas and ranges shall be predominately undeveloped and shall be at least 5,280 feet (one mile) from any property line located in Currituck County regardless of the direction of fire.

<sup>86</sup> This is a new set of standards applied to the Academy site. These standards are very similar used in Currituck County for this same use.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.3 Institutional Uses

- d. The maximum downrange safety area for each range and shooting area shall meet the requirements MIL-HDBK-1027/3B. The safety area shall not encompass any public right-of-way or other property not owned by range operator or owner.
- e. Weapon types are restricted to pistol, rifle, shotgun, or similar firearms. No automatic assault type weapon shall be used by the general public but is allowed by any law enforcement, military or federal agency group duly authorized to use these style weapons. Limits on caliber size shall be in accordance with the MIL-HDBK-1027/3B, subject to the physical constraints of the property.
- f. Concussion type explosives will be permitted for use by law enforcement, military or federal agency group duly authorized to use these types of explosives.
- g. Military, para-military or militia type activities or maneuvers, including but not limited to hand-to-hand combat training, maritime training, swamp, or guerilla warfare techniques, incendiary type firings, infiltration course type training, etc. is permitted for use by law enforcement, military or federal agency groups only.
- h. All actual firing activities shall be directed toward either moving or stationary targets only.
- i. Any overnight or temporary storage of weapons, ammunition, and explosives shall meet the Department of Defense storage and stand-off safety standards.
- j. In no case shall any explosive material be stored, either inside or outside a "magazine," closer than 1,250 feet to a property line or dwelling unit and 300 feet to any roadway.
- k. The maximum amount of explosives on-site at any one time shall not exceed 100 pounds stored and 10 pounds utilized during any one evolution.
- l. A listing of the type, amount, and physical location of all explosive material shall be provided by the applicant to the county upon request.
- m. The facility and all individuals working with explosives within the facility shall be certified and permitted by Alcohol, Tobacco and Firearms (AT and F) to conduct such operations in compliance with its permits.

#### 3. Driver Training and Vehicle Maintenance

- a. The immediately adjacent areas to the driver training area shall be predominately undeveloped and shall be at least 5,280 feet (one mile) from any property line located in Camden County.
- b. Burning of non-vegetative matter and disposal of toxic/hazardous matter is prohibited.
- c. Stockpiling of tires and vehicles is prohibited.
- d. No driver training is permitted on any public road and all driver training shall only be conducted in clearly marked designated driving areas.

#### 4. Rotary and Fixed-Wing Aircraft Operations and Parachute Operations

- a. Any training or operations involving rotary or fixed wing aircraft shall comply with FAA Part 91 and any and all other applicable FAA regulations.
- b. Any and all parachute operations shall comply with FAA Part 105 and any and all other applicable FAA regulations.

#### 5. Dining Facility and Lodging

- a. Construction of dormitory type structures to house not more than 120 persons at any one time shall be permitted to provide overnight accommodations to those people training at the security training facility; provided that all state, county and relevant agency permits, approvals and licenses are obtained in connection with the construction and operation of such structure.
- b. Sleeping and dining accommodations to persons not utilizing or otherwise associated with the security training facility shall not be permitted.

#### 6. Miscellaneous Standards

- a. The site or area used as a security training facility shall be enclosed by a six foot fence or otherwise restricted by natural physical features (i.e. swamps, bodies of water, canals, and large expanses of densely vegetated areas, etc.) so that access to the site is controlled to insure the safety of patrons, spectators and the public at large. Warning signs shall be posted along access points.
- b. The operators of a security training facility shall provide proof of coverage by adequate accident and liability insurance companies. A minimum coverage of \$2,000,000 shall be established.
- c. Any activity not specifically mentioned within the foregoing shall be prohibited.

### M. Utilities<sup>87</sup>

#### 1. Setbacks

- a. Utility facilities of 16 square feet or less may be set back five feet from all side and rear lot lines.
- b. Utility facilities of between 16 and 100 square feet may be located as close as ten feet from all side and rear lot lines.

<sup>87</sup> These standards include the provisions in Section 151.347.G pertaining to utility buildings

## ARTICLE 151.4 USE REGULATIONS

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### Section 4.4 Use-Specific Standards<sup>80F</sup>

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#### 4.4.3 Institutional Uses

- c. All others utility buildings shall meet the minimum setback requirements for the district where they are located.
  - d. An electrical power facility, substation, or transmission station shall be set back at least 100 feet from all lot lines.
- 2. **Screening**  
The storage of vehicles or equipment associated with a utility use type shall be fully screened on all sides by an opaque wall, fence, retained vegetation, or planted vegetation to a height of eight feet. If planted vegetation is used, it must satisfy the height standard within three years after planting.
- 3. **Access and Circulation**  
Driveways and parking areas shall be provided as required in this Ordinance, including the installation of concrete aprons where driveways abut public streets.



## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.4 Commercial Uses

#### 4.4.4 COMMERCIAL USES

Unless exempted, all commercial uses shall comply with the nonresidential design standards in **Section <>, Commercial Design Standards**, or **Section <>, Mixed-Use Design Standards**, as applicable.

**A. Adult and Sexually-Oriented Businesses**

See Chapter 154: Adult Entertainment, of the Camden County Code of Ordinances, for standards pertaining to adult and sexually-oriented businesses.

**B. Animal Care Uses**

Animal shelters, grooming, kennels (indoor and outdoor), and veterinary clinics shall comply with the following standards:

1. All fenced runs or training areas shall maintain a 25-foot setback from lot lines and be at least 50 feet from any adjacent single-family dwellings.
2. Runs and training areas shall be enclosed with fencing at least six feet in height.
3. All gates and entrances to the runs, kennels, and training areas shall remain locked when not in use.

**C. Eating Establishments**

**1. Restaurants with Outdoor Seating**

Restaurants having outdoor seating (including, but not limited to, seating for dining or listening to live or recorded acoustic or amplified entertainment outside of the building) shall comply with the following standards:

- a. The outdoor seating area shall be located no closer than 100 feet from any single-family residential zoning district.
- b. The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.

**2. Bars, Nightclubs, or Dance Halls**

Bars, nightclubs, dance halls, and similar establishments shall be located at least 500 feet from any child care center, religious institution, or educational facility.

**D. Offices**

Offices in a MX district shall comply with the following standards:

1. The proposed use shall front on a paved public street.
2. Professional services office uses shall not exceed 3,500 square feet per use.

**E. Parking, Commercial**

**1. Parking Lots**

A commercial parking lot shall comply with the following standards:

- a. Parking shall be the principal use of the parking lot. Parking spaces may be rented for parking, or otherwise used in accordance with an approved temporary use permit or other permit, but no other business of any kind shall be conducted on the lot, including repair service, washing, display, or storage of vehicles or other goods.
- b. Commercial parking lots shall not be located contiguous to a single-family residential zoning district.
- c. In the business districts, commercial parking lots that are the principal use of the lot shall have no more than 100 feet of street frontage. Screening devices may be placed between the parking lot and street to assist in compliance with this requirement.

**F. Recreation/Entertainment, Outdoor**

Outdoor recreation and entertainment uses shall comply with the following standards:

**1. General Requirements Applied to All Recreation/Outdoor Use Types**

All recreation/outdoor use types shall:

- a. Be located at least 500 feet from existing child care centers and residential zoning districts;
- b. Be located on a site or parcel with an area of at least five acres;
- c. Be located on a site or parcel that, at the primary point of access, has at least 200 feet of frontage on a collector street;
- d. Locate access points to minimize traffic to and through local streets in residential neighborhoods; and
- e. Provide safety fences, up to eight feet high, as necessary to protect the general health, safety, and welfare.

**2. Commercial Firing Ranges<sup>88</sup>**

<sup>88</sup> This section carries forward the commercial shooting range standards in Section 151.347.S of the current ordinance, as modified by Ordinance 2015-08-01.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.4 Commercial Uses

Outdoor firing ranges shall be configured and operated in accordance with the following:

**a. Configuration**

1. Firing ranges shall be designed and constructed in accordance with the design criteria cited in the Military Handbook - Range Facilities and Miscellaneous Training Facilities Other Than Buildings (MIL-HDBK 1027/3B), as amended or superseded or the National Rifle Association Range Manual, as amended or superseded shall be met. For those ranges constructed in accordance with the National Rifle Association Range Manual, the downrange safety area shall not apply, but the permit holder shall provide documentation of approval of the ranges by the NRA-sponsored team of inspectors annually.
2. All areas within the proposed range, including, but not limited to firing area(s), backstops, downrange safety zones, parking and accessory areas and the like shall be under uniform control or ownership. The downrange safety area shall be essentially fan-shaped, with its vertex being 100 meters each side of the end firing point and extending to the maximum range of the type of firearm being used as shown on Table 4 of the MIL-HDBK 1027/3B, ten degrees from the firing line, plus an additional 100 meters running parallel to the ten degree line, as shown in Figure 2.2 1 of MIL-HDBK 1027/3B or as approved in accordance with the NRA manual and inspections per division (S)(3) above. The safety area shall not encompass any public right-of-way or other property not owned by range operator or owner.
3. The site or area used as a shooting range shall be enclosed by a six-foot high fence or otherwise restricted by natural physical features (such as swamps, bodies of water, and the like) so that access to the site is controlled to insure the safety of patrons, spectators and the public at large. Warning signs shall be posted along the fence every 100 feet.
4. All shooting stations and backstops, when utilized, shall be at least 900 feet from any property line regardless of the direction of fire unless the applicant can provide noise or safety test evidence to show that a lesser distance may be acceptable.
5. All parking areas, vehicle accommodation areas, driveways and the like shall meet standards for parking as stated in this Ordinance.

**b. Operation**

1. Hours of firing activities and number of ranges shall be set as conditions of the special use permit.
2. Alcohol consumption shall be prohibited before and during range operations, but shall be allowed after the range is closed, provided proper permits are obtained.
3. The operators of an outdoor range must provide proof of coverage by adequate accident and liability insurance. A minimum coverage of \$2,000,000 shall be established.
4. Weapon types will be restricted to pistol, rifle, and shotgun. No automatic assault type weapon shall be used by the general public, but will be allowed by any law enforcement, military or federal agency group, or any holder of a Federal Firearms License of a class and type that authorizes NFA weapons, duly authorized to use these style weapons. Limits on caliber size shall be in accordance with the MIL-HDBK 1027/3B/ or National Rifle Association Range Manual subject to the physical constraints of the property.
5. No concussion type of explosives shall be permitted.
6. No military, para-military or militia type activities or maneuvers, including, but not limited to hand-to-hand combat training, swamp or guerrilla warfare techniques, no incendiary type firings, infiltration course type training and the like be permitted.
7. All actual firing activities will be directed toward either moving or stationary targets only.
8. Any overnight or temporary storage of weapons, ammunition, and/or explosives must meet the Bureau of Alcohol, Tobacco, Firearms and Explosives storage and stand-off safety standards.
9. Each firing range shall be posted indicating the allowable caliber of weapon allowed and any other applicable rules.

**c. Review by Law Enforcement Required**

The proposed firing range application shall be reviewed by and comments received from the County Sheriff's Department.

**3. Law Enforcement Firing Range<sup>89</sup>**

**a. Minimum Area**

Outdoor law enforcement shooting ranges shall be located on a site or parcel with an area of at least ten acres.

<sup>89</sup> This use carries forward the law enforcement firing range in Text Amendment 2016-03-01

## ARTICLE 151.4 USE REGULATIONS

### Section 4.4 Use-Specific Standards<sup>80F</sup>

#### 4.4.4 Commercial Uses

**b. Separation**

No part of a shooting range shall be located within 200 feet of any property line and less than 2,000 feet from any residential dwelling or school, as measured from the firing line in the direction of the line of fire.

**c. Configuration**

1. Shooting range facilities shall be constructed, at a minimum to include the following protective barriers:
  - A. Backstops with a minimum height of twenty feet;
  - B. Side berms or walls with a minimum height of eight feet; and
  - C. Firing line covers of overhead safety baffles for rifle fire only.
2. The range shall be enclosed by a six-foot chain link fence with a lockable gate at the entrance.
3. No trespassing signs shall be posted along range fence lines every 150 feet.

**d. Operation**

1. Weapons types are restricted to pistol, rifle, or shotgun.
2. The use of explosives or any target that detonates is prohibited.
3. Hours of operation shall be between 9:00AM to 8:00 PM, Monday through Thursday.
4. The discharge of weapons or shooting activities shall not occur on Friday through Sunday.
5. The range shall be utilized by duly sworn law enforcement personnel only, except as provided in standard (6) below.
6. No individuals under the age of 18 are permitted on the range during any practice or qualification of firearms unless such individual is participating in an organized, Camden County-approved function, properly supervised onsite by Camden County law enforcement personnel.
7. All activities shall adhere to the Sheriff's Policy and Procedure Manual for the site.
8. The operators of the shooting range shall provide proof of accident and liability insurance coverage. A minimum coverage of \$1,000,000 per individual and \$2,000,000 in the aggregate shall be maintained.

**e. Annual Recertification**

The Sheriff shall provide an annual Affidavit of Compliance to the Board of Commissioners stating the shooting range meets all Camden County Code standards for the use and all conditions of the special use permit.

**G. Retail Sales**

**1. Flea Market**

Flea market uses shall comply with the following standards:

- a. Off-street parking shall be provided with a minimum of three spaces per stand or rented space.
- b. Sanitary facilities shall be provided with facilities for both the male and female gender.
- c. There shall be provisions for garbage or trash removal for each day the flea market is open to the public.
- d. All rental spaces and buildings shall maintain a 50 foot setback from all residentially used property lines and meet the setbacks for principle uses along all other lot lines.

**H. Telecommunications<sup>90</sup>**

**1. Purpose and Intent**

This section establishes general standards for the siting of wireless telecommunications facilities that will provide for the public health, safety, and welfare. The standards are intended to ensure that residents, businesses, and public safety operations in the County have reliable access to wireless telecommunications services. More specifically, the provisions of this section are intended to:

- a. Ensure adequate protection of residential areas and uses from potential adverse impacts of wireless telecommunications facilities, and to generally encourage the location of these facilities in areas where adverse impact on the community is minimal;
- b. Encourage the placement of wireless telecommunications facilities in non-residential areas;
- c. Create conditions where wireless telecommunications service providers are able to provide wireless telecommunications services effectively and efficiently in accordance with State and federal law;

<sup>90</sup> These standards are proposed to replace the telecommunications facility standards in Section 151.065.B of the current ordinance. There have been several recent changes to state law regarding these facilities, in particular, distinctions between collocations that are "eligible facilities" versus those that are "structural modifications". There are also new standards for small wireless facilities that need to be addressed. As a result, we suggest the current provisions be replaced by these standards.

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- d. Strongly encourage the joint use or collocation of new and existing wireless telecommunications facilities;
- e. Establish collocation and concealed towers as the preferred options for the accommodation of wireless telecommunications equipment; and
- f. Ensure that wireless telecommunications facilities located within the public right of way do not obstruct sight distance triangles or create safety hazards for pedestrians or bicyclists.

#### 2. **Applicability**

The standards in this section shall apply to all wireless telecommunications facilities except for the following, which are exempted from these standards but remain subject to all other applicable standards in this Ordinance:

- a. Removal of antennas, antenna support structures, or wireless telecommunications equipment on an existing telecommunications tower, utility pole, vertical projection, or equipment compound that does not result in a substantial modification;
- b. The operation of a small wireless facility solely within the interior of a structure, stadium, or athletic facility;
- c. Routine maintenance on an existing wireless telecommunication facility;
- d. Installation, modification, or operation of a receive-only television antenna, or receive-only radio antenna for noncommercial use;
- e. Installation, modification, or operation of FCC-licensed amateur ("ham") radio equipment; and
- f. Dish antenna or earth stations.

#### 3. **General Standards Applicable to All Types of Wireless Telecommunications Facilities**

The following requirements shall apply to all new wireless telecommunications facilities and any modifications to an existing wireless telecommunications facility that exceeds the scope of routine maintenance.

##### a. **Building Permit Required**

Prior to installation or modification exceeding the scope of routine maintenance, all wireless telecommunications facilities shall receive a building permit in accordance with the requirements in this Ordinance.

##### b. **Sight Distance at Intersections**

All elements of a wireless telecommunication facility shall be located outside of, and shall in no way obstruct, required sight distances at street intersections. This requirement shall apply to existing streets as well as to future street intersections that have been designed or where right-of-way is currently being protected.

##### c. **Lighting**

Lighting of a wireless telecommunications facility shall be limited to that required for compliance with FAA minimum standards.

##### d. **Signage**

Signage shall be limited to safety or informational signage identifying the party responsible for the operation and maintenance of the facility and any additional security or safety signs, as necessary in the opinion of the County.

#### 4. **Standards for Specific Types of Wireless Telecommunication Facilities**

The following standards shall apply to the identified type of wireless telecommunications facility, and shall apply in addition to the standards in [Section <>, General Standards Applicable to All Types of Wireless Telecommunications Facilities](#).

##### a. **Telecommunications Tower, Major**

New or replacement major telecommunications towers with a height of 35 feet or more shall comply with the following standards:

##### 1. **Setbacks**

- A. Towers and their associated antennas shall be set back at least one foot from the front, side, and rear lot lines for each foot of overall wireless telecommunications facility height.
- B. In cases where an existing telecommunication tower's height is increased or where an existing telecommunications tower is replaced in order to accommodate a major or minor collocation, the existing or replacement tower shall comply with the setback requirements in subsection (A) above, to the maximum extent practicable.
- C. Accessory structures, including equipment cabinets, and other ground-based equipment shall conform with the applicable dimensional requirements for the zoning district where located.

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#### 2. Collocation Required

A. Telecommunications towers shall be designed to accommodate the present and future needs of the owner and as well as the collocation of additional equipment, in accordance with the following standards:

1. Towers of 35 to 80 feet in height shall be configured to accommodate the collocation of at least two wireless telecommunications service provider's equipment.
2. Towers of 81 to 130 feet in height shall be configured to accommodate the collocation of at least three wireless telecommunications service provider's equipment.
3. Towers of 131 feet in height or higher shall be configured to accommodate the collocation of at least four wireless telecommunications service provider's equipment.

B. In no instance shall an existing telecommunications tower be permitted to remain in place for a period of more than 14 days following installation of a replacement telecommunications tower constructed to accommodate a collocation.

#### 3. Screening

A. All ground-based elements, such as an equipment compound or equipment cabinets, shall be completely screened from off-site views through the use of a fully opaque wooden privacy fence, masonry wall, or two staggered rows of evergreen shrubs located around the perimeter of the ground-based elements.

B. Screening is not required in cases where ground-based equipment is not visible from off-site areas.

C. Landscaping material shall reach and maintain a minimum height of six feet above grade within four years of planting.

#### b. Telecommunications Tower, Concealed and Minor

Concealed and minor telecommunications towers shall comply with the following standards:

##### 1. Towers Distinguished

A. A concealed telecommunications tower is a telecommunications tower and associated equipment that is designed to appear as something other than a traditional wireless telecommunications facility.

B. A minor wireless telecommunications tower is a use that is designed to appear as a traditional wireless telecommunications facility except that the maximum height of the tower portion of the facility is less than 35 feet above grade.

##### 2. Appearance of a Concealed Telecommunications Tower

A. A concealed telecommunications tower shall be configured to conceal the presence of the tower, antennas, antenna-support structures, and related wireless telecommunications equipment in order to obscure its purpose as a wireless telecommunications facility, to the maximum extent practicable (see **Figure <>: Concealed Telecommunications Towers**).

**FIGURE <>: CONCEALED TELECOMMUNICATIONS TOWERS**



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#### 4.4.4 Commercial Uses

- B. Allowable configurations include, but are not limited to: bell towers, clock towers, water towers, silos, chimneys, steeples, light standards, flag poles, or evergreen trees.
  - C. Antennae, antenna support structures, cabling, and related appurtenances shall be enclosed, camouflaged, screened, or otherwise obscured so that they are not readily identifiable as wireless telecommunications equipment to the casual observer.
  - D. Equipment cabinets and related structures shall be designed, located, and camouflaged in a manner that is compatible with the tower portion of the facility.
3. **Setbacks**
- A. Concealed and minor telecommunications towers and associated accessory structures, including equipment cabinets, shall comply with the applicable dimensional requirements for nonresidential uses in the zoning district where located.
  - B. In no instance shall a concealed or minor telecommunications tower be exempted from the minimum applicable setback requirements for nonresidential uses.
  - C. In cases where an existing concealed telecommunication tower's height is increased or where an existing concealed telecommunications tower is replaced in order to accommodate a major or minor collocation, the existing or replacement concealed telecommunications tower shall comply with the setback requirements in subsection (A) above, to the maximum extent practicable.
4. **Collocation**
- A. Concealed and minor telecommunications towers are encouraged (but not required) to accommodate the collocation of other antennae, whenever technically and economically feasible.
  - B. Any collocated equipment on a concealed telecommunications tower must maintain the appearance of the facility as a concealed telecommunications tower.
  - C. Collocations of equipment on a minor telecommunications tower (whether a major or minor collocation) shall not increase the overall height of the tower by more than 10 feet beyond the initially approved height of the minor telecommunications tower. Actions that result in an increase in tower height by more than 10 feet shall require the minor telecommunications tower to undergo review as a major telecommunications tower.
  - D. In no instance shall a concealed telecommunications tower be replaced with a telecommunications tower that is not concealed in order to accommodate a collocation.
5. **Screening**
- A. All ground-based elements, such as an equipment compound or equipment cabinets, shall be completely screened from off-site views through the use of a fully opaque wooden privacy fence, masonry wall, or two staggered rows of evergreen shrubs located around the perimeter of the ground-based elements.
  - B. Screening is not required in cases where ground-based equipment is not visible from off-site areas.
  - C. Landscaping material shall reach and maintain a minimum height of six feet above grade within four years of planting.
- c. **Collocation**
- Collocations, whether on a building wall or roof, a telecommunications tower, or on another vertical projection such as a water tank or electrical transmission tower, shall comply with the following standards:
- 1. **Collocations Distinguished**

All collocations shall be classified as either a major collocation or a minor collocation in accordance with **Section <>, Definitions**, and the following:

    - A. A major collocation includes placement of antennas, antenna-support structures, and related wireless telecommunications equipment on any of the following:
      - 1. A building's roof;

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2. A building's wall;
      3. A vertical projection such as a water tank, electric transmission tower, or similar vertical projection not constructed for the sole purpose of providing wireless telecommunications services; or
      4. An existing or replacement telecommunications tower where the collocation requires a substantial modification, as defined in these standards and Section 160A-400.51 of the North Carolina General Statutes.
    - B. A minor collocation includes placement of antennas, antenna-support structures, and related wireless telecommunications equipment on an existing or replacement telecommunications tower, provided no substantial modification, as defined in these standards and Section 160A-400.51 in the North Carolina General Statutes, is required. A minor collocation may also be referred to as an "eligible facility," as defined in these standards and Section 160A-400.51 of the North Carolina General Statutes.
    - C. In addition to the placement of antennas and antenna-support structures, collocations may also include the placement of wireless telecommunications equipment on a telecommunications tower, on a vertical projection, on the ground in close proximity to a telecommunications tower or vertical project, within an equipment compound, within an equipment cabinet, within a building, or on a building's roof.
    - D. Nothing shall prohibit the replacement of an existing telecommunications tower or activities that increase the overall height of an existing telecommunications tower in order to accommodate a proposed collocation.
2. **Substantial Modification**

Collocations on an existing or replacement telecommunications tower that require or result in any of the following shall be considered a substantial modification:

  - A. Increasing the existing overall height of the telecommunications tower by the greater of:
    1. 20 feet; or
    2. More than ten percent; or
  - B. Adding an appurtenance (excluding cabling supports) to the body of an existing telecommunications tower that protrudes horizontally from the edge of the tower by the greater of:
    1. More than the width of the telecommunications tower at the height of the appurtenance; or
    2. More than 20 feet from the edge of the tower; or
  - C. Increasing the square footage of an existing equipment compound by more than 2,500 square feet.
  - D. Substantial modifications that require an increase in the overall height of an existing telecommunications tower or require a replacement tower that exceeds the height of the existing telecommunications tower by more than 40 feet shall require review as a new telecommunication tower subject to the standards in **Section <>, Telecommunications Towers, Major**.
  - E. In no instance shall an existing telecommunications tower be permitted to remain in place for a period of more than 14 days following installation of a replacement telecommunications tower constructed to accommodate a collocation.
3. **Collocation Prohibited**

In no instance shall a collocation take place on or in a single-family detached, duplex, or attached residential structure.
4. **Method of Attachment**

Antennae, antenna-support structures, or other wireless telecommunications equipment, associated with a collocation shall be mechanically fastened to the building, roof, vertical projection, or telecommunications tower in a manner that minimizes the potential for structural failure or endangerment of the public from falling wireless telecommunications equipment and that meet's the County's minimum wind loading standards.
5. **Setbacks**
  - A. In cases where an existing telecommunication tower's height is increased or where an existing telecommunications tower is replaced in order to accommodate a collocation, the existing or replacement tower shall be set back

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#### 4.4.4 Commercial Uses

at least one foot from the front, side, and rear lot lines for each foot of overall wireless telecommunications facility height.

- B. Accessory structures, including equipment cabinets, guy wire anchors, and other ground-based equipment shall conform with the applicable dimensional requirements for the zoning district where located.

6. **Screening**

- A. All ground-based elements, such as an equipment compound or equipment cabinets, shall be completely screened from off-site views through the use of a fully opaque wooden privacy fence, masonry wall, or two staggered rows of evergreen shrubs located around the perimeter of the ground-based elements.
- B. Screening is not required in cases where ground-based equipment is not visible from off-site areas.
- C. Landscaping material shall reach and maintain a minimum height of six feet above grade within four years of planting.

d. **Small Wireless Facility**

Small wireless facilities may be located within a public right-of-way, other right-of-way, or on an individual lot only in accordance with the following standards:

1. **Consolidated Application**

An applicant may file a single consolidated application for up to 25 separate small wireless facilities at one time, but the County may choose to issue separate decisions on one or more of the facilities included within a consolidated application.

2. **Timeframe for Review**

Applications for establishment of a small wireless facility shall be processed and decided within 45 days from the date the application is determined to be complete. Nothing shall prohibit the County and the applicant from mutually agreeing to a longer review period.

3. **Timing for Operation**

Construction of a small wireless facility shall commence within six months of its approval and the small wireless facility shall be activated for use within one year from the permit issuance date, unless delayed by a lack of commercial power at the site.

4. **Maximum Equipment Size**

- A. In no instance shall a small wireless facility exceed the following maximum size limitations:
1. Each antenna, and any exposed elements, shall be capable of fitting within an enclosure of six cubic feet, or less.
  2. All other wireless equipment associated with the small wireless facility shall maintain a maximum cumulative volume of 28 cubic feet, or less. The following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, vertical cable runs for the connection of power and other services, or the support structure.
- B. A small wireless facility that exceeds these maximum size limitations shall be reviewed in accordance with the standards for a collocation.

5. **Placement**

- A. A small wireless facility, including the support structure and all other equipment, shall not obstruct the safe passage of vehicles, pedestrians, or bicycles.
- B. Where an applicant proposes to install a new wireless support structure in the right-of-way, the County may impose separation requirements between it and any existing wireless support structure or other facilities in or within ten feet of the right-of-way, to ensure safe operation and maintenance of all features within the public right-of-way.

6. **Method of Attachment**

Antennae, antenna-support structures, or other wireless telecommunications equipment, associated with a small wireless facility shall be mechanically fastened to the supporting structure in a manner that minimizes the potential for structural failure or endangerment of the public from falling wireless telecommunications equipment and that meet's the County's minimum wind loading standards.

7. **Right-of-Way Restored**



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#### 4.4.4 Commercial Uses

The applicant shall restore the right-of-way to pre-construction conditions following installation or maintenance of a small wireless facility.

#### I. Vehicle Establishment, Major

##### 1. Automotive Painting/Body Shop

Automobile painting/body shop uses shall comply with the following standards:

- a. The use shall be located at least 250 feet from any residential district, school (except vocational schools), or child care center.
- b. Vehicles shall not be parked or stored as a source of parts or for the purpose of sale or lease/rent.
- c. Repair and storage of all vehicles shall occur within an enclosed building. Temporary outdoor vehicle storage may be allowed in an outdoor storage area that is no larger than 25 percent of the buildable area of the lot, located behind or to the side of the principal structure, and screened in accordance with **Section <>, Outdoor Storage**.
- d. Vehicles that are repaired and are awaiting removal shall not be stored or parked for more than 30 consecutive days. In cases where a vehicle is abandoned by its lawful owner before or during the repair process, the vehicle may remain on site as long as is necessary after the 30 day period, provided the owner or operator of the establishment demonstrates steps have been taken to remove the vehicle from the premises using the appropriate legal means.

##### 2. Automotive Wrecker Service

Automotive wrecker service uses shall comply with the following standards:

- a. The use shall be located at least 250 feet from any residential district, school, or child care center.
- b. Vehicles shall not be stored on-site for more than 90 days.
- c. Vehicles shall be stored to the rear of the principal structure and screened in accordance with **Section <>, Outdoor Storage**.

##### 3. Boat and Marine Rental, Sales, and Service

Boat and marine rental, sales, and service establishments shall comply with the following standards:

- a. Temporary outdoor storage may be allowed in an outdoor storage area that is no larger than 40 percent of the buildable area of the lot, located behind or to the side of the principal structure, and screened in accordance with **Section <>, Outdoor Storage**.
- b. Display areas shall be located outside all setbacks and shall be screened from adjacent streets with a Type A perimeter landscaping buffer.
- c. Display areas shall be surfaced with concrete, asphalt, or other permanent surfacing material other than crushed stone.

#### J. Vehicle Establishment, Minor

##### 1. Automotive Parts Sales and Installation

Repair of all vehicles shall occur within an enclosed building. Temporary outdoor vehicle storage may be allowed in an outdoor storage area that is no larger than 25 percent of the buildable area of the lot, located behind or to the side of the principal structure, and screened with an opaque wooden fence or masonry wall in accordance with **Section <>, Fences and Walls**.

##### 2. Automotive Repair and Service (Without Painting/Bodywork)

Automotive repair and service uses not involving painting or bodywork service shall comply with the following standards:

- a. The repair facility shall be located at least 125 feet from any residential district, school (except vocational school), or child care center.
- b. Repair of all vehicles shall occur within an enclosed building. Temporary outdoor vehicle storage may be allowed in an outdoor storage area that is no larger than 25 percent of the buildable area of the lot, located behind or to the side of the principal structure, and screened in accordance with **Section <>, Outdoor Storage**.
- c. Vehicles shall not be parked or stored as a source of parts or the purpose of sale or lease/rent.
- d. Vehicles that are repaired and are awaiting removal shall not be stored or parked for more than 30 consecutive days. In cases where a vehicle is abandoned by its lawful owner before or during the repair process, the vehicle may remain on site as long as is necessary after the 30 day period, provided the owner or operator of the establishment demonstrates steps have been taken to remove the vehicle from the premises using the appropriate legal means.

##### 3. Automotive Sales or Rentals

Uses primarily involving the sales or rental of automobiles, trucks, recreational vehicles, or travel trailers, shall comply with the following standards:

- a. The use shall be located on a lot of at least 40,000 square feet in area and a minimum lot width of 125 feet;
- b. The use shall not have more than one vehicle display pad for every 100 feet of street frontage;

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- c. The vehicle display pad may be elevated up to two feet above adjacent displays or grade level;
- d. Vehicle displays may not take place within required setbacks and shall include a Type A perimeter landscaping buffer between the display area and the street;
- e. No vehicles or other similar items shall be displayed on the top of a building;
- f. All lights and lighting shall be designed and arranged so no source of light is directly visible from any adjacent property; and
- g. Light repair and service functions are permitted as an accessory use provided all repair-related activities take place within an enclosed building.

#### 4. Car Wash or Auto Detailing

Car wash and auto detailing uses shall be designed to ensure proper functioning of the site as related to vehicle stacking, circulation, and turning movements. If an automatic car wash is an accessory use to a gasoline sales use, it shall be governed by the use and dimensional standards applicable to the gasoline sales use.

### K. Visitor Accommodations<sup>91</sup>

#### 1. Bed and Breakfast Inns<sup>92</sup>

Bed and breakfast inn uses shall comply with the following standards:

- a. A bed and breakfast inn shall take place within a building that was designed for and used as a single-family detached dwelling.
- b. A bed and breakfast inn shall be operated primarily by persons who reside within the dwelling unit, with the assistance of not more than the equivalent of one, full-time employee.
- c. The building that houses the dwelling unit may not be expanded by more than ten percent of its original floor area, nor may rooms for rent be added onto or created within accessory buildings.
- d. There shall be at least one parking space per sleeping room.
- e. There shall only be one kitchen and all meals served on the premises shall be for overnight guests.
- f. Not more than one sign may be erected on the lot where such a use is located. The sign may not exceed six square feet in surface area nor be internally illuminated.

#### 2. Campgrounds<sup>93</sup>

##### a. Camping, Generally

Camping is a permitted use of land only in camper subdivisions and recreational campgrounds.

##### b. Campgrounds

###### 1. Allowable Uses

The following uses are permitted within campgrounds:

- A. Use of transportable recreational housing, other than for long term occupancy or dwelling units; and
- B. Establishments for the sale or rental of supplies or for provisions or services, for the satisfaction of daily or frequent needs of campers.

###### 2. Dimensional Requirements

- A. The minimum site area for a recreational campground shall be ten acres under single ownership or control.
- B. The minimum size for a single camper space shall be 300 square feet.
- C. Establishments providing goods or services to campers (including any associated parking areas) shall not occupy more than two percent of the campground.
- D. Each campground shall include a recreation area of at least eight percent of the site.

###### 3. Configuration

- A. At the opening of a recreational campground for occupancy, all required facilities and improvements shall have been completed and there shall be at least 20 camping spaces available and ready for occupancy.

<sup>91</sup> NOTE: Questions arose during review of the draft UDO regarding regulation of Airbnb uses. These are accessory uses to single family homes, not principal uses. Considerable discussion is necessary regarding standards for these uses – for example: Is this accessory use available to any residential use type or just single-family detached homes? Will the County seek to limit the number of times a home may be rented during a year? If so, how will it track and enforce? Will enforcement staff be available to address violation complaints on nights and weekends?

<sup>92</sup> These standards proposed to replace the provisions in Section 151.347.H of the current ordinance.

<sup>93</sup> These standards carry forward the provisions in Section 151.213 of the current ordinance with no substantive changes except that the recreational campground standards in Section 151.347.D are consolidated here as well.

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- B. The recreation area may include space for common walkways and related landscaping in block patterns (passive recreational area), provided that the common open space is at least 20 feet in width.
- C. At least half of the total required recreational area shall be improved with facilities for active recreation such as swimming pools, beaches, ballfields, shuffleboard courts, play lots.
- D. Recreation areas shall be located for easy access to all camping spaces and configured to avoid the creation of traffic hazards or unsafe conditions for pedestrians.

#### c. Campers

- 1. Campers may be parked or stored on any lot, tract, or parcel with an established dwelling in any zoning district, provided the camper shall not be used for overnight occupancy or as a dwelling unit.
- 2. Additions to campers shall be prohibited.
- 3. It shall be prohibited for a camper to be used as an addition to any structure.
- 4. Campers shall not have wheels removed and be blocked so as to make it a permanent structure, and shall not be underpinned.
- 5. An approved sewage disposal system shall be provided in all campgrounds that are designed for campers or that allow use by campers.
- 6. No camper larger than eight feet by 40 feet, including the tongue shall be located on a designated camper lot.

#### d. Camper Lots

The following uses will be allowed on platted camper lots within the County, provided all lots are serviced by either a potable water well, private or County-operated central water system, and a sewer system:

##### 1. One Camper Lot

Platted lots approved for the location of up to one recreational vehicle or camper shall comply with the following standards:

##### A. Allowable Uses

Allowable uses are subject to the applicable dimensional requirements for the zoning district where located, and include:

- 1. Up to one camper, sited in the center of the lot;
- 2. A raised walkway of up to five feet;
- 3. Open air decks of up to 100 square feet;
- 4. Up to one accessory building, not to exceed 100 square feet; and
- 5. Temporary additions, such as roll-up canvas awnings.

##### B. Configuration

- 1. No permanent additions shall be allowed.
- 2. CAMA permits must be obtained, if necessary.
- 3. Accessory buildings shall be located to the rear of the primary structure or camper.

##### 2. Two Camper Lots

The following standards shall apply in cases where two abutting camper lots are under common ownership:

##### A. Allowable Uses

- 1. In cases where each lot is used individually, the range of allowable uses shall be identical to one camper lot in subsection (1.A) above.
- 2. In cases where the two lots are used jointly, as a single lot, the following uses are permitted:
- 3. Up to one camper;
- 4. One site-built or modular home;
- 5. One Class "A" mobile home of up to two-bedrooms;
- 6. Accessory buildings in accordance with **Section <>, Accessory Uses**;
- 7. Screened or unscreened porches; and
- 8. Walkways and decks, subject to all applicable dimensional requirements.

##### B. Configuration

- 1. Lot coverage shall not exceed 24 percent and CAMA permits shall be obtained, if necessary.

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#### 4.4.5 Industrial Uses

2. Additions to site built homes, modular, and mobile homes shall be permitted provided they do not increase the number of bedrooms or bathrooms.
3. Accessory buildings shall be located to the rear of the primary structure or camper.

#### 3. Three Camper Lots

In cases where three or more camper lots abut one another and are under common ownership, development on the three lots shall be in accordance with the standards for two camper lots above except that site built, modular, or mobile homes are allowed to have up to three bedrooms.

#### 4. Requests

All building permit requests for a principal structure or room additions to a principal structure, must be accompanied by a certificate of use issued by the applicable sanitation district or organization managing the sewage treatment, stating there is adequate sewage treatment available for the existing structure and any additions.

#### 5. Nonconforming Uses or Structures on Camper Lots

All permanent structures located on a camper lot prior to the *(insert the effective date of this Ordinance)* may continue and be maintained in good condition.

Any damage equaling 25 percent or more of the total structure's replacement cost shall require that the existing structure be replaced only in compliance with the requirements of this section and shall not be subject to the replacement provisions of **Section <>, Extension or Enlargement of Nonconformities.**

#### 3. Recreational Vehicles

Recreational vehicles located within the SFHA shall comply with the standards for these uses in **Section <>, Special Flood Hazard Area Overlay (SFHA).**

#### 4. Hotels and Motels

Hotel and motel uses shall comply with the following standards:

##### a. Maximum Density

In no case may the number of lodging units exceed 40 lodging units per acre.

##### b. Ownership

All hotel units associated with a single development shall be under common ownership, and in no instance shall individual units be held under individual ownership.

##### c. Area Devoted to Non-living Quarters

Up to 20 percent of the gross floor area of a hotel or motel may be for non-living-quarter incidental uses (accessory uses), including management/employee offices, conference space, meeting rooms, banquet halls, retail services, such as newsstands and gift shops, and similar uses, provided any incidental business is conducted primarily to service guests.

##### d. Eating Establishments

In addition to the accessory uses allowed in **Section <>, Accessory Uses**, up to an additional 20 percent of the gross floor area of a hotel or motel may be devoted to eating establishments as an accessory use. The eating establishments(s) may have an entrance from outside the principal building.

#### L. Water-Related Uses

##### 1. Marinas<sup>94</sup>

- a. Marinas shall be planned in a manner as to minimize the risk of water pollution.
- b. Marinas shall be located in areas where there is a high rate of water turnover, the time required for tidal action or water flow to replace water of a boat basin with new water from another source. Ideally, marinas should have a water turnover rate of between two to four days.
- c. Marinas shall be encouraged to locate in upland areas.
- d. Marina access channels shall be designed to maximize circulation and avoid dead-end spots.
- e. Marina designs must incorporate facilities for the proper handling of sewage, waste and refuse.
- f. Marinas shall minimize alteration of existing shoreline configurations and disturbance of vital habitat areas.
- g. Dredging operations shall not occur during critical periods of fish migration and breeding.
- h. The method of dredging shall be chosen that will have the least environmental impact and all dredged materials shall be placed in a manner so as not to pollute surrounding areas.

<sup>94</sup> This section carries forward Section 151.214 of the current UDO.

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- i. Proposals for marina development shall be accompanied by a modeling study indicating expected flushing, where applicable.

### 4.4.5 INDUSTRIAL USES

#### A. Extractive Industry (Mining)<sup>95</sup>

1. The applicant shall receive an approved State mining permit and approval of an erosion and sedimentation control plan by NC DEQ prior to issuance of a zoning compliance permit. All State permits, applications for State permits, and requests for permit modifications shall be filed in Planning Department prior to commencement of any mining activity.
2. Extractive industry uses located within the SFHA shall be subject to a Floodplain Development Permit in accordance with **Section <>, Floodplain Development Permit**.
3. All provisions of State and local permits issued for the operation shall be met.
4. If, at any time, a State agency suspends or revokes any permits it has issued for an extractive industry, the revocation or suspension shall cause the zoning compliance permit issued by the County to become void.
5. The zoning compliance permit shall be valid for the same period as established within the State permit but shall not exceed ten years from the date it is granted. In the event the property owner desires to continue the operation thereafter, they shall apply for a new zoning compliance permit.
6. Where two or more accesses to the extractive industry exist, traffic shall be routed to the access having the least negative impact on adjoining properties.
7. Extractive industry uses established after (**insert the effective date of this Ordinance**) shall have direct access to a paved highway which has been dedicated to the public for maintenance by the NCDOT. For the purposes of this subsection, direct access shall mean at least 30 feet of roadway frontage or a duly recorded access easement of at least 30 feet in width.
8. Except for vehicular access, no mining or other extractive industry activity shall take place within 50 feet of a lot line or public right-of-way.
9. Extractive industry uses shall include a landscaped buffer around the perimeter of the site configured in accordance with the following:
  - a. The buffer shall maintain a minimum width of 100 linear feet. This buffer width may be reduced to 50 feet in cases where the buffer zone includes an earthen berm with a height of at least eight feet above grade and maximum slope of 3:1.
  - b. Earthen berms shall be stabilized with vegetative ground cover to limit erosion and sedimentation.
  - c. The buffer zone shall preserve and maintain existing vegetation, to the maximum extent practicable.
  - d. The buffer shall be configured with the minimum amount of vegetation necessary to completely obscure the visibility of on-site activities to a height of sixteen feet above grade at the lot line.
10. Overburden to be used for future reclamation shall be placed where it will not be disturbed by normal mining activities and shall be stabilized to reduce wind and water erosion. Use of overburden for earth berms is encouraged to reduce the impact of the mining operation on adjoining properties.
11. No bulk waste, hazardous waste, commercial waste, garbage, construction or demolition waste shall be placed on site.
12. The site where extractive industrial uses are taking place shall be surrounded by a fence at least eight feet in height.
13. No trespassing signs shall be posted around the site being mined at a minimum distance of 250 feet apart indicating that an extractive industry use is being conducted on the property.
14. Drainage patterns shall not be altered so as to cause flooding off-site while the permit is valid and after reclamation.
15. Applicant will make available any pond areas to the local Volunteer Fire Department (VFD) for installation of a dry hydrant, if requested by the local VFD. All associated costs for installation will be the responsibility of the local VFD.

#### B. Industrial Services

##### 1. Crabshedding

Crabshedding uses located within a residential zoning district shall comply with the following standards:

##### a. General Standards

1. All phases of the operation must be conducted not less than 10 feet from the property line and not less than 50 feet from any adjacent dwelling;
2. No odor, fumes, excessive noise, or traffic shall be allowed;

<sup>95</sup> This section carries forward the standards in Section 151.034 and Section 151.212 from the current UDO. The buffer requirements have been increased to a minimum width of 50 feet, and include a performance standard intended to fully screen the use from adjacent lots and streets.

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#### 4.4.5 Industrial Uses

3. On-premise freezing, packing and preparation for shipping is allowed;
4. No more than one truck, van, car, or other vehicle, or part of a vehicle, which is visible from adjacent public streets may be kept on the site; and
5. No vehicle or trailer which is larger than 8 feet by 32 feet shall be maintained on-site.

#### 2. **General Industrial Services and Repair**

Repair of all machines shall occur within an enclosed building. Temporary outdoor storage may be allowed in an outdoor storage area that is no larger than 25 percent of the buildable area of the lot, located behind or to the side of the principal structure, and screened in accordance with **Section <>, Outdoor Storage**.

#### 3. **Heavy Equipment, Sales, Rental, and Service**

Uses primarily involving the sales, rental, service, or storage of heavy equipment shall comply with the following standards:

- a. The use shall be located at least 250 feet from any residential district, school, or child care center.
- b. No heavy equipment or building displays shall be located within a required setback or perimeter buffer.
- c. The use shall not have more than one heavy equipment display pad, located between the principal building and the street for every 100 feet of street frontage.
- d. No heavy equipment shall be displayed on the top of a building.
- e. All lights and lighting shall be designed and arranged so no source of light is directly visible from any residential district or existing residential use.

### C. **Manufacturing and Production**

#### 1. **Manufacturing, Heavy**

Heavy manufacturing uses shall comply with the following standards:

- a. Heavy manufacturing uses shall be located at least 1,000 feet from any residential district.
- b. A Type A perimeter buffer of at least 25 feet in depth shall be provided along any boundary with another property not zoned for heavy industry.

#### 2. **Manufacturing, Light**

All light manufacturing uses shall comply with the following standards:

- a. Buffer and setback areas in the side and rear may not be used for parking.
- b. Finished products for display and sale shall not occupy more than 40 percent of the land area between the principal building and all adjacent streets.
- c. The use shall not generate more noise, smoke, odor, fumes, vibrations or other disturbance than is characteristic of permitted business uses located within 1,000 feet in any direction when observed, measured, or monitored from the closest lot line. In cases where such monitoring, measuring or observation is required, it shall be the responsibility of the applicant to provide adequate information to the UDO Administrator.

### D. **Power Generation**

#### 1. **Solar Array<sup>96</sup>**

The following standards shall apply to all solar arrays located in Camden County:

- a. **Minimum Area**  
The minimum lot size for a solar array use type shall be five acres.
- b. **Setbacks**  
All structures shall meet a minimum 100-foot setback from all lot lines.
- c. **Required Buffers**
  1. The solar array shall be surrounded by a lockable fence with a minimum height of six feet (see **Figure <>, Solar Array Configuration**).
  2. There shall be 50-foot buffer around the outside of the perimeter fence that obstructs view of the solar array from view from public rights-of-way or adjacent residentially-zoned property.
  3. The buffer shall consist of two canopy trees, four understory trees and 25 shrubs for every 100 feet.
  4. The maintenance of the buffer shall conform to the standards in **Section <>, Required Maintenance**.

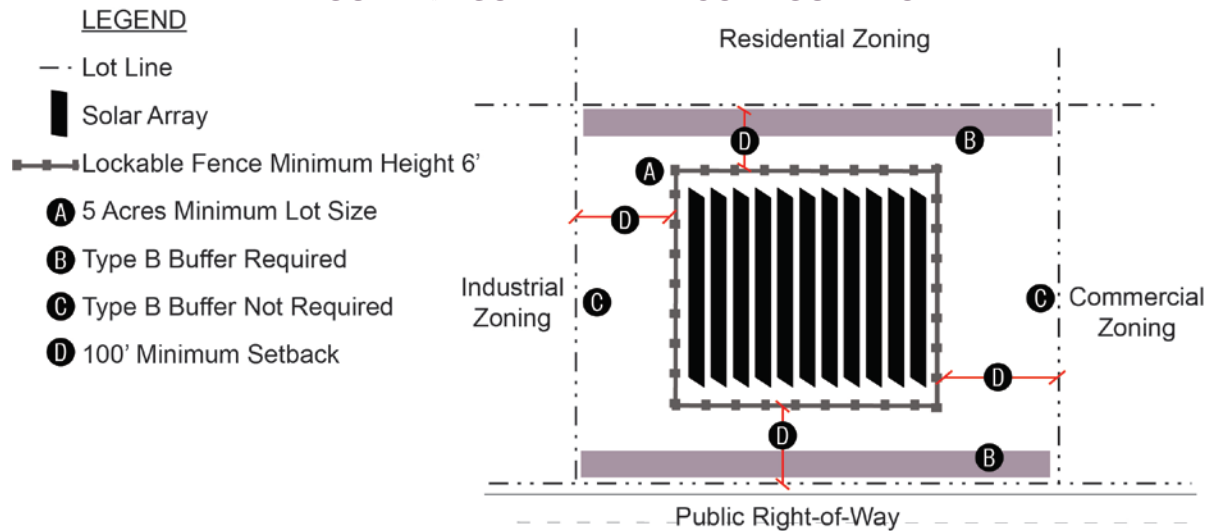
<sup>96</sup> These standards carry forward the County's current standards for solar farms from Ordinance 2017-05-01.

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FIGURE <>: SOLAR ARRAY CONFIGURATION



**d. Maximum Height**

1. No structure associated with a solar array shall exceed a height of 15 feet.
2. Solar arrays within the SFHA or the 100-year floodplain shall elevate all electrical connections at least one foot above the base flood elevation (BFE).

**e. Additional Standards**

The solar array shall conform to the NAICS 22119 description of a ground mounted solar powered energy system, as amended.

**f. Decommissioning Plan Required**

1. All applications for the establishment of a solar array shall include a decommissioning plan to be signed by party responsible for decommissioning and the landowner (if different). The decommissioning plan shall include all of the following:
  - A. A description of any agreement (e.g. lease) with landowner regarding decommissioning.
  - B. A list the type of panels and material specifications of equipment being utilized at the site.
  - C. The identification of the party currently responsible for decommissioning.
  - D. An estimated cost of removal prepared by a third party engineer.
  - E. Provisions for removal of solar panels, buildings, cabling, electrical components, roads, and any other associated facilities down to 36 inches below grade.
  - F. Disturbed earth shall be graded and re-seeded unless the landowner requests in writing that the access roads or other land surface areas not be restored.
2. Prior to issuance of a Building Permit the decommissioning plan shall be recorded in the Camden County Registry of Deeds.
3. The decommissioning plan and estimated cost of removal shall be updated and re-recorded in the County's Registry of Deeds every five years or upon change of ownership.

**g. Financial Guarantee Required**

1. Prior to the approval of a building permit for a solar array, the applicant shall provide an automatically renewable guarantee in the form of a bond, cash escrow deposit, or an irrevocable letter of credit issued by a Federally-chartered bank with a branch office in northeastern North Carolina, in favor of the County, which shall be drawn and paid in full in immediately available funds for an amount equal to the estimated removal cost of the solar facility, in the event the owner fails to decommission the solar facility pursuant to the requirements of this section.
2. The institution issuing the guarantee shall provide to the County a notice no less than 90 days in advance of any renewal, cancellation, termination, or expiration of the guarantee.

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3. The County shall periodically request proof of the continuous operation of the solar array from the applicant/owner.
  4. The solar array shall have 12 months to complete decommissioning of the solar facility if no electricity is generated for a continuous period of 12 months. For purposes of this section this 12-month period shall not include delay resulting from force majeure.
2. **Wind Energy Conversion Facilities**<sup>97</sup>
- a. **Facilities Distinguished**

The standards in this section shall apply to the following types of wind energy conversion facilities:

    1. **Large Wind Energy Conversion Facility**

A wind energy conversion system consisting of one or more wind turbine(s), a tower(s), and associated control or conversion electronics, which has a total rated capacity of more than 100 kW.
    2. **Medium Wind Energy Conversion Facility**

A wind energy conversion system consisting of one or more wind turbine(s), a tower(s), and associated control or conversion electronics, which has a total rated capacity of more than 20 kW but not greater than 100 kW.
    3. **Small Wind Energy Conversion Facility**

A single system designed to supplement other electricity sources as an accessory use to existing buildings or facilities, wherein the power generated is used primarily for on-site consumption. A small wind energy conversion system consists of a single wind turbine, a tower, and associated control or conversion electronics, which has a total rated capacity of 20 kW or less.
  - b. **Permit Required**

No wind energy facility, or addition of a wind turbine to an existing wind energy facility, shall be constructed unless a permit has been issued to the applicant, facility owner, or facility operator approving construction of the facility under this section. Permitting of an expanded wind energy facility shall be based on the total rated capacity of the expanded wind energy facility, including the existing wind energy facility, but excluding like-kind replacement.
  - c. **Permit Application**
    1. An application for a wind energy conversion facility permit shall contain the following:
      - A. A narrative describing the proposed wind energy facility, including an overview of the project.
      - B. The proposed total rated capacity of the wind energy facility.
      - C. The proposed number, representative types and height or range of heights of wind turbines to be constructed, including their rated capacity, dimensions and respective manufacturers, and a description of ancillary facilities.
      - D. Identification and location of the property or properties on which the proposed wind energy facility will be located.
      - E. A site plan showing the planned location of all wind turbines, property lines, setback lines, access roads, substation(s), electrical cabling from the wind energy facility to the substation(s), ancillary equipment, building(s), transmission and distribution lines. The site plan must also include the location of all occupied buildings, residences, and other features sufficient to demonstrate compliance with the setbacks required by this section.
      - F. If the facility will transfer power back to a power service provider, include the following:
        1. The electrical cabling from the wind energy facility to the substation indicated on the site plan.
        2. Documentation of an approved interconnection feasibility study.
      - G. Decommissioning plans that describe the anticipated life of the wind energy facility, the estimated decommissioning costs in current dollars, the salvage value of the equipment, and the anticipated manner in which the wind energy facility will be decommissioned and the site restored.
      - H. Documentation of agreement between participating landowner(s) and the applicant, facility owner, or operator.
      - I. Signature of the applicant.

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<sup>97</sup> This section carries forward the standards in Section 151.347(T) in the current ordinance.



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- J. Any relevant studies reports, certifications and approvals as may be reasonably requested by the County to ensure compliance with this section.
  - 2. Throughout the permit process, the applicant shall promptly notify the UDO Administrator of any proposed changes to the information contained in the permit application that would materially alter the impact of the project.
  - 3. Changes to the approved application that do not materially alter the initial site plan may be adopted administratively by the UDO Administrator.
  - 4. A temporary anemometer or meteorological tower, for the purpose of gathering data on wind speeds and directions, may be installed with the issuance of a zoning compliance permit and must be setback from all property lines at a distance equal to one linear foot for every foot of height. Zoning compliance permits shall be valid for a period of two years and may be renewable in the event that more data is needed by the applicant in order to determine the viability of a wind energy facility.
- d. **Standards for Small Wind Energy Conversion Facilities**  
Small wind energy conversion facilities shall be considered an accessory use subject to the applicable standards this section, Section <>, Accessory Uses, and Section <>, Wind Energy Conversion Facility, Small.
- e. **Minimum Setbacks**
- 1. The minimum setback requirement shall be calculated by multiplying the required setback number in Table <>, Minimum Setback Calculation for Wind Energy Conversion Facilities, by the wind turbine height and measured from the center of the wind turbine base to the property line, nearest point on the public road right-of-way, or nearest point on the foundation of a residence or occupied building.

TABLE <>: MINIMUM SETBACK CALCULATION FOR WIND ENERGY CONVERSION FACILITIES				
WIND ENERGY CONVERSION FACILITY TYPE	SETBACK DISTANCE MULTIPLIER			
	OCCUPIED BUILDINGS	RESIDENTIAL USES	PROPERTY LINE OF NON-PARTICIPATING LANDOWNER	PUBLIC ROADS
Small	0.0	1.5	1.1	1.5
Medium	1.1	2.0	1.5	1.5
Large	1.1	2.5	1.5	1.5

- 2. Setback requirements may be waived if the following conditions are met:
    - A. Each property owner(s) affected by the applicable setback requirements may waive the setback requirements by signing a waiver that sets forth the applicable setback provision(s) and the proposed changes.
    - B. Any such waiver shall be in writing and signed by the applicant and the affected property owner(s) and recorded in the office of the county register of deeds.
- f. **Sound and Shadow Flicker**
- 1. This section shall apply to large wind energy facilities. Sound and shadow flicker issues for small and medium wind energy facilities are addressed by setbacks.
  - 2. Audible sound from a large wind energy facility shall not exceed 55 dBA, as measured at any occupied building or residence on the property of a non-participating landowner.
  - 3. Shadow flicker on any occupied building or residence of a non-participating landowner caused by a large wind energy facility must not exceed 30 hours per year.
  - 4. Sound and/or shadow flicker provisions may be waived if the following conditions are met:
    - A. Each property owner(s) affected by the sound and/or shadow flicker provisions of this section may waive the sound and/or shadow flicker provisions by signing a waiver that sets forth the applicable sound and/or shadow flicker provisions and the proposed changes.
    - B. Any such waiver shall be in writing and signed by the applicant and the affected property owner(s) and recorded in the office of the county register of deeds.
- g. **Installation and Design**
- 1. Prior to issuance of any building permits for medium and large scale wind energy facilities, the applicant shall provide documentation of compliance, and all studies and

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reports if required, from all applicable State and federal agencies, including, but not limited to the N.C. Department of Environmental Quality, the Coastal Resources Commission, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, and the N.C. Wildlife Resources Commission.

2. The installation and design of the wind energy facility shall conform to applicable industry standards, including those of the American National Standards Institute, and take into consideration local conditions.
  3. All structural, electrical, and mechanical components of the wind energy facility shall conform to relevant and applicable local, State, and national codes.
  4. Any on-site collector system shall, to the extent commercially reasonable, be placed underground.
  5. The visual appearance of a wind turbine shall at a minimum:
    - A. Be a non-obtrusive color such as white, off-white or gray;
    - B. Not be artificially lighted, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety; and
    - C. Not display advertising (including flags, streamers or decorative items), except for identification of the wind turbine manufacturer, facility owner, and operator.
- h. Decommissioning**
1. The wind energy facility owner shall have 12 months to complete decommissioning of the wind energy facility if no electricity is generated for a continuous period of 12 months. For purposes of this section, this 12-month period shall not include delay resulting from force majeure.
  2. Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, roads, and any other associated facilities down to 36 inches below grade.
  3. Applicant shall provide prior to approval of building permits, an irrevocable letter of credit in favor of the County in an amount equal to the estimated removal cost of the wind energy facility, less the salvage value of the equipment, which shall be issued by a federally chartered bank with a branch office in northeastern North Carolina at which the letter of credit may be drawn and paid in full in immediately available funds in the event the wind energy facility owner fails to decommission the wind energy facility pursuant to the requirements of this section.
  4. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas not be restored.

#### **E. Warehouse and Freight Movement**

##### **1. Outdoor Storage (as a Principal Use)**

Outdoor storage uses shall comply with the following requirements:

- a. No storage shall take place within required setbacks;
- b. Outdoor storage shall be screened from all public streets and residential zoning districts by an opaque fence or wall with a minimum height of six feet, and a maximum height of ten feet;
- c. Stacked or stockpiled material located within 50 feet of a screening fence or wall shall not exceed the height of the screening fence or wall;
- d. Outdoor storage is not required to be screened from views on adjacent lots located within industrial districts; and
- e. Outdoor storage areas shall be configured to allow vehicular circulation through and around the storage area.

##### **2. Self-Service Storage**

Self-service storage uses shall comply with the following standards:

###### **a. Site Layout**

1. The minimum lot area shall be three acres.
2. If separate buildings are constructed, there shall be a minimum separation of ten feet between buildings.

###### **b. Operation**

1. The only commercial uses permitted on-site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage. Storage bays shall not be used to manufacture, fabricate, or process goods, to service or repair vehicles, small engines or electrical equipment, or conduct similar repair activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site.
2. Individual storage bays or private postal boxes within a self-service storage facility use shall not be considered premises for the purpose of assigning a legal address.

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3. No more than one security or caretaker quarters may be developed on the site, and shall be integrated into the building's design.
4. Except as otherwise authorized in this subsection, all property stored on the site shall be enclosed entirely within enclosed buildings.
5. Hours of public access to a self-storage use abutting a residential zoning district or existing residential use shall be restricted to the hours between 6:00 A.M. and 10:00 P.M.

#### c. **Parking and Circulation**

1. Interior parking shall be provided in the form of aiseways adjacent to the storage bays. Aiseways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of aiseways shall be 21 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted.
2. The one- or two-way traffic flow patterns in aiseways shall be clearly marked. Marking shall consist, at a minimum, of standard directional signage and painted lane markings with arrows.
3. Appropriate access and circulation by vehicles and emergency equipment shall be ensured through the design of internal turning radii of aiseways.
4. All access ways shall be paved with asphalt, concrete, or comparable paving materials.

#### d. **Building Appearance**

1. Garage doors serving individual storage units shall not be visible from adjacent streets or shall be screened by vegetation.
2. With the exception of a structure used as a security guard or caretaker quarters, or the redevelopment of an existing structure, the maximum height of a self-service storage facility shall be 20 feet.
3. Windows may not exceed 20 percent of any street-facing façade and shall not be reflective.
4. A maximum of two colors (excluding roof colors) shall be used on wall facades visible from off-site areas. Colors shall be neutral and shall not be used to call attention to the use.
5. Perimeter or exterior walls visible from a major arterial street or residential use shall not include metal as a primary material.

#### e. **Open Storage**

Open storage of recreational vehicles, travel trailers, and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:

1. The storage shall occur only within a designated area, which shall be clearly delineated;
2. The size of the storage area shall not exceed 25 percent of the buildable area of the site;
3. Outdoor storage areas shall be located to the rear of the principal structure;
4. Storage shall not occur within the areas set aside for minimum building setbacks; and
5. No dry stacking of boats shall be permitted on-site.

#### 3. **Truck or Freight Terminal, Warehouse (Distribution or Storage)**

Truck or freight terminals or warehouses (distribution or storage) shall comply with the following standards:

- a. The use shall be located at least 500 feet from any residential district, school, or child care center.
- b. The use shall not locate storage areas within a required setback or perimeter buffer.
- c. The use shall have direct access onto a major arterial or collector street.

#### F. **Waste-Related Services**

##### 1. **Within the SFHA**

Waste-related services shall not be located within the SFHA, except through approval of a variance (see **Section <>, Variance**), subject to all the following requirements:

- a. The use serves a critical need in the County;
- b. No feasible location exists for the use outside the SFHA;
- c. The reference level of any structure is elevated or floodproofed to at least the regulatory flood protection level;
- d. The use complies with all other applicable federal, state, and local laws; and
- e. The County has notified the Secretary of the North Carolina Department of Crime Control and Public Safety of its intention to grant a variance at least 30 days prior to granting the variance.

##### 2. **Incinerator**

Incinerators shall comply with the following standards:

- a. The use shall be located at least 1,000 feet from any existing residential use, school, or child care use.

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- b. The use shall be surrounded by a solid fence that is at least eight feet high, located no less than 100 feet from any public right-of-way, and located no less than 50 feet from any adjacent property.
3. **Land Application of Sludge/Septage<sup>98</sup>**  
 Uses engaged in the land application of sludge or septage shall comply with the following standards:
- a. **General Requirements**
    - 1. A permit must be obtained by the applicant from the appropriate County or State agency which has authority to issue required permits prior to land application of sludge or septage.
    - 2. All conditions stated in the appropriate County or State permit shall be strictly adhered to.
    - 3. Upon issuance of the special use permit, the property owner shall record the special use permit in the offices of the County Register of Deeds and have it indexed under the record owner's name as grantor.
    - 4. The special use permit will be non-transferable.
    - 5. Failure to properly abide by the aforementioned conditions will result in the immediate revocation of the special use permit.
    - 6. A no trespassing sign shall be posted at access roads or paths crossing or leading to the disposal area and a legible sign of at least two feet by two feet stating, "A Septage or A Sludge Disposal Area" shall be posted at the entrance to the disposal area.
  - b. **Operation**
    - 1. The site shall be inspected by ARHS every two months.
    - 2. Septage operations shall have soil tested annually; soil shall be tested semi-annually if lime is used for stabilization.
    - 3. Land application of sludge shall occur only during daylight hours.
    - 4. Septage shall be applied so as to have no standing surface collection of liquid within 24 hours after application.
    - 5. The applicant must notify ARHS at least ten days prior to beginning land application of sludge and at least ten days prior to beginning further sludge operations if operations are conducted on an intermittent basis and have ceased for more than 30 days.
    - 6. The applicant shall submit copies of all reports submitted to the appropriate State permitting agency concerning land application operations to ARHS.
  - c. **Setbacks**  
 In addition to the setbacks required by the appropriate State agency, land application of sludge and septage uses shall comply with the setback standards in **Table <>: Land Application Setbacks**:

<b>TABLE &lt;&gt;: LAND APPLICATION SETBACKS</b>		
<b>TYPE OF LAND APPLICATION USE</b>	<b>ADJACENT USE TYPE AND PROXIMITY</b>	<b>SETBACK DISTANCE (FEET)</b>
Sludge Operations	Within 1,000 feet to 1,500 feet of an existing residential or commercial structure	1,000 [1]
	Within 1,500 feet to 2,000 feet of an existing residential or commercial structure	None [1]
	Greater than 2,000 feet to an existing residential or commercial structure	None [2]
	From a private or public water well	1,000
	From a lot line	100
Septage Operations	An adjacent existing residential or commercial structure	500 [3]
	From a public right-of-way or lot line under separate ownership	100
	Potable water well or spring	500
	Monitoring well	200
	Abandoned well	50
	Surface waters	[4]
	Ground water lowering devices and ditches	100

<sup>98</sup> These standards carry forward the provisions in Section 151.347.Q of the current ordinance

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TABLE <=>: LAND APPLICATION SETBACKS		
TYPE OF LAND APPLICATION USE	ADJACENT USE TYPE AND PROXIMITY	SETBACK DISTANCE (FEET)
<p>NOTES:</p> <p>[1] Requires a buffer of a width determined by the BOC.</p> <p>[2] No buffer required.</p> <p>[3] Lime stabilization may be required by the BOC.</p> <p>[4] Setbacks shall be in accordance with 15A NCAC 13B.0815 through 13B.0827, Septage Management Rules of the State.</p>		

d. Additional Standards for Septage Uses

1. Septage disposal sites shall not be located on a slope greater than 12 percent.
2. Soil texture, soil wetness, and depth to rock standards shall be in accordance with 15A NCAC 13B.08105 through 13B.0827, Septage Management Rules of the State.
3. No hazardous wastes shall be disposed of on-site; industrial or solid wastes shall not be disposed of on-site without prior approval by the State.
4. Soil pH shall be maintained at 6.5 or greater at all times.
5. Soil erosion and runoff for the site shall be in accordance with 15A NCAC 13B.0815 through 13B.0827, Septage Management Rules of the State.

4. Privately-Owned Landfills, Convenience Sites, and Similar Facilities<sup>99</sup>

A privately-owned landfill, convenience site, or similar facility shall comply with the following standards:

- a. The applicant must show written evidence of having received all required state and federal permits prior to operation.
- b. The applicant must execute a waste-related franchise issued by the County pursuant to Section 153A-136 of the North Carolina General Statutes.
- c. The plans and specifications for the landfill and any facilities related thereto, including any infrastructure serving the property or the site, shall be reviewed and approved by an engineer or other technical advisers appointed by the UDO Administrator.
- d. The applicant shall reimburse the County for all expenses incurred in reviewing the application, including administrative costs, advisory fees, legal fees, and engineering or other professional fees incurred by the County.

5. Salvage or Junkyard<sup>100</sup>

A salvage or junkyard use shall comply with the following standards:

- a. **Location**  
A junkyard may not be placed within 1,000 feet of a primary highway right-of-way.
- b. **Screening**  
Junkyards shall be screened so as not to be visible from:
  1. Any state-maintained road using a minimum six-foot privacy fence; and
  2. Adjacent residential or non-residential properties.
- c. **Additional Requirements**
  1. Burning of non-vegetative matter shall not be permitted.
  2. Disposal of garbage unrelated to motor vehicles shall be in an approved container and regularly maintained.
  3. Open dumping of garbage shall be prohibited.
  4. Disposal of toxic/hazardous matter is prohibited without a special use permit and a State permit.
  5. Stock piling of tires and batteries is prohibited.
  6. Drainage of junkyards shall be adequate to assure that no standing water shall exist.
  7. Weeds and vegetation shall be kept at a height not to exceed 12 inches.
  8. Storage of vehicles shall be so arranged as to permit easy access to all junk for fire-fighting purposes.
  9. A soil erosion and sedimentation control plan shall be submitted and shall be kept on file in the UDO Administrator's office.

<sup>99</sup> This section consolidates the standards in Section 151.217, Privately Owned Landfills, Convenience Sites, and Related Facilities, and Section 151.383(G)(9), Variance Procedures, from the current UDO.

<sup>100</sup> These standards carry forward the provisions in Section 151.347.O of the current ordinance.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.5 Accessory Uses<sup>100F</sup>

#### 4.5.1 Purpose

## 4.5 ACCESSORY USES<sup>101</sup>

### 4.5.1 PURPOSE

This section authorizes the establishment of accessory uses and structures that are incidental and subordinate to principal uses. The purpose of this section is to allow a broad range of accessory uses and structures, provided they comply with the standards set forth in this section in order to reduce potentially adverse impacts on surrounding lands.

### 4.5.2 PROCEDURES FOR ESTABLISHMENT

- A. Accessory uses or structures may be approved in conjunction with the approval of the principal use or subsequently following the establishment of the principal use.
- B. With the following exceptions, no accessory use or structure shall be approved, established, or constructed before the principal use is approved in accordance with this Ordinance:
  - 1. Agricultural uses;
  - 2. Docks, piers, and boat ramps; and
  - 3. Storage and maintenance sheds of up to 200 square feet in area.
- C. Establishment of an accessory use or structure shall require approval of a zoning compliance permit in accordance with the standards in [Section <>, Zoning Compliance Permit](#), and the standards in this section.
- D. A lawfully-established nonconforming use or structure may be supplemented with an accessory use or structure provided the accessory does not increase the nonconformity.

### 4.5.3 GENERAL STANDARDS FOR ACCESSORY STRUCTURES<sup>102</sup>

- A. **Permitted Accessory Uses and Structures**

Permitted accessory uses and structures include those listed in this section and those that the UDO Administrator determines meet the following:

  - 1. Are clearly incidental to an allowed principal use or structure;
  - 2. Are subordinate to and serving an allowed principal use or structure; and
  - 3. Contribute to the comfort, convenience, or needs of occupants, business or industry associated with the principal use or structure.
- B. **Located on Same Lot as a Principal Use**

All accessory uses and structures shall be located on the same lot as the principal use or structure and not located within any street right-of-way, except as allowed by this Ordinance for specific accessory uses and structures.
- C. **Compliance with Ordinance Requirements**

Accessory uses and structures shall conform to the applicable requirements of this Ordinance, including this section, the district standards in [Article 151.3: Zoning Districts](#), or the development standards in [Article 151.5: Development Standards](#).
- D. **Dimensional Standards<sup>103</sup>**

Accessory structures, which include accessory buildings, shall meet the applicable zoning district dimensional standards and district standards, except as provided in [Section <>, Setback Encroachments](#).
- E. **Maximum Size**

Except for accessory dwelling units or where expressly stated in this Ordinance, there are no limitations on the size of an accessory structure.
- F. **Where Located on the Lot**
  - 1. On lots of two acres in area or smaller, an accessory structure shall not be located between the principal structure and a street bounding the lot (see [Figure <>, Accessory Structure Location](#)).
  - 2. Accessory structures may be located between a principal structure and a street bounding the lot or site on lots or sites greater than two acres in area.

<sup>101</sup> This section builds on the standards in Section 151.329 of the current ordinance

<sup>102</sup> This section replaces the standards in Section 151.329 of the current ordinance.

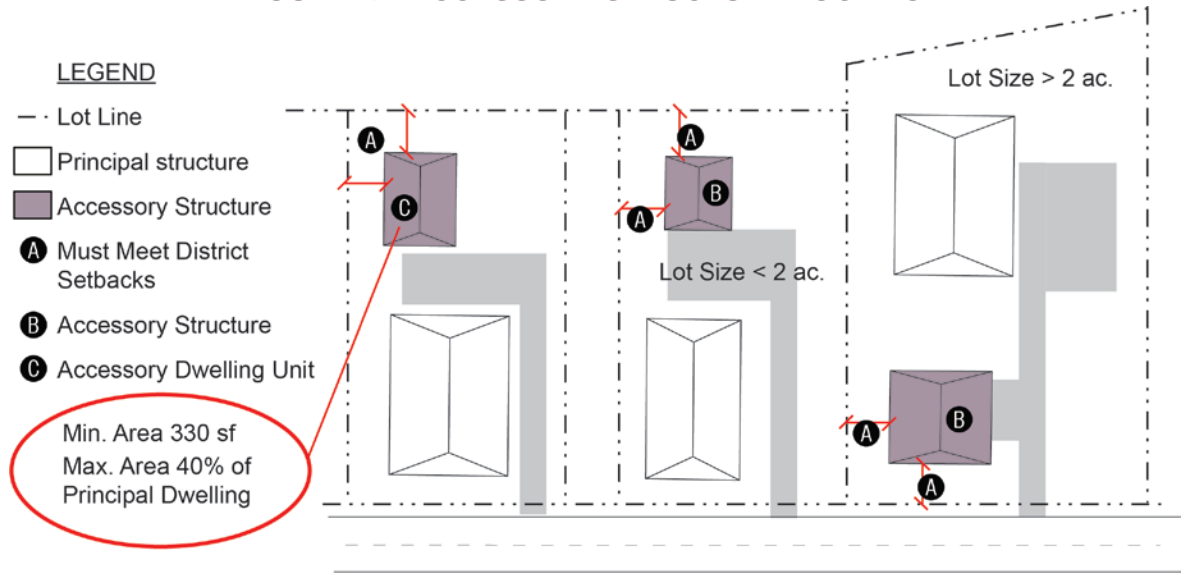
<sup>103</sup> This section is proposed to replace the standards in Section 151.064 of the current ordinance.

# ARTICLE 151.4 USE REGULATIONS

## Section 4.5 Accessory Uses100F

### 4.5.4 Table of Allowable Locations

FIGURE <>: ACCESSORY STRUCTURE LOCATION



#### G. Easements

Accessory structures may not be located in an easement unless the easement or easement holder expressly states the allowance in writing.

#### H. Conflict with District or Use-Specific Standards

In the event the standards in this section conflict with district-specific standards in [Article 151.3: Zoning Districts](#), or use-specific standards for a principal use in [Section <>, Use-Specific Standards](#), the zoning or use-specific standards shall control.

#### I. Location in the SFHA

Accessory uses or structures located in the SFHA shall comply with the standards in [Section <>, Accessory Uses](#), in addition to these standards.

## 4.5.4 TABLE OF ALLOWABLE LOCATIONS

#### A. Table as Guide

[Table <>, Common Accessory Use Table](#), is established as a guide to identify the appropriateness of the more common accessory uses in each zoning district.

#### B. Listed Accessory Uses

[Table <>, Common Accessory Use Table](#), lists what types of accessory uses, structures, and activities are allowed in each of the zoning districts.

1. If a specific accessory use is allowed by-right, the cell underneath the zoning district is marked with a "P".
2. If a specific accessory use is allowed subject to a special use permit, the cell underneath the zoning district is marked with a "S".
3. If the accessory use or structure is not allowed in a zoning district, the cell is blank ".".
4. In the case of planned development districts, if an accessory use is allowable, it is marked with an "A", and the accessory use must be set out in the approved master plan or terms and condition statement.
5. If there is a reference contained in the column entitled "Acc. Use-Specific Standard," see [Section <>, Standards for Specific Accessory Uses](#), for the additional standards that apply to the specific accessory use.

**ARTICLE 151.4 USE REGULATIONS**

**Section 4.5 Accessory Uses<sup>100F</sup>**

4.5.5 Standards for Specific Accessory Uses

<b>TABLE &lt;&gt;: COMMON ACCESSORY USE TABLE</b>															
"P"= Permitted      "S"= Permitted with Special Use Permit      "."= Prohibited															
ACCESSORY USE	RESIDENTIAL					COMMERCIAL					IND.		PD (NEW)	ACC. USE-SPECIFIC STANDARD	
	CP (CD)	WL (GU)	RR (R-3-2)	SR (R-3-1)	NR (R-2)	VR (R-1)	CC (NCD)	VC (CCD)	MX (NEW)	HC	MC	LI (I-1)			HI (I-2)
Accessory Dwelling Unit	.	P	P	P	P	P	P	P	P	P	P	.	.	A	◇
Amateur Ham Radio	.	P	P	P	P	P	P	P	P	P	P	P	P	A	◇
Boat Lifts	P	P	P	P	P	P	P	P	P	P	P	P	P	A	◇
Boat Ramps	P	P	P	P	P	P	P	P	P	P	P	P	P	A	◇
Cemetery, Family or Religious Institution	.	P	P	P	S	.	P	.	.	P	.	.	.	A	◇
Child Care, Incidental	.	P	P	P	P	P	P	P	P	.	.	.	.	A	◇
Community Agriculture	S	P	P	P	P	P	P	P	.	.	.	.	.	A	◇
Docks, Piers	P	P	P	P	P	P	P	P	P	P	P	P	P	A	◇
Drive-Through	.	.	.	.	.	.	P	P	.	P	.	P	.	A	◇
Excavation	.	P	.	.	.	.	.	.	.	P	P	P	P	A	◇
Gasoline Sales	.	.	.	.	.	.	P	P	S	P	P	P	.	A	◇
Home Occupation	.	P	P	P	P	P	P	P	P	P	P	.	.	A	◇
Horse Stable	.	P	P	P	P	P	.	.	.	.	.	.	.	A	◇
Housing for Poultry	.	P	P	P	P	.	P	.	.	P	.	.	.	A	◇
Ice House	.	.	.	.	.	.	P	P	P	P	P	P	.	A	◇
Outdoor Display and Sales	.	.	.	.	.	.	P	P	P	P	.	P	.	A	◇
Outdoor Storage (Nonresidential)	.	.	.	.	.	.	P	P	P	P	P	P	P	A	◇
Parking of Boats or Watercraft	.	P	P	P	P	P	P	P	P	P	P	P	P	A	◇
Parking of Heavy Trucks, Trailers in Residential Districts	.	P	P	S	S	.	.	.	.	.	.	.	.	A	◇
Produce Stands	.	P	P	P	.	.	P	P	P	P	.	P	.	A	◇
Recreational Vehicles	.	P	P	P	.	.	.	.	.	P	.	.	.	A	◇
Retail Sales from a Vehicle	.	S	.	.	.	.	P	P	P	P	P	P	P	A	◇
Solar Energy Equipment	.	P	P	P	P	P	P	P	P	P	P	P	P	A	◇
Underground Storage Tanks	.	S	.	.	.	.	P	S	.	P	P	P	P	A	◇
Wind Energy Conversion Facility, Small	.	P	S	S	S	S	P	P	S	P	P	P	P	A	◇

**4.5.5 STANDARDS FOR SPECIFIC ACCESSORY USES**

**A. Accessory Dwelling Units<sup>104</sup>**

Accessory dwelling units shall comply with the following standards:

**1. General Requirements**

- a. Accessory dwelling units may be located within a principal structure (e.g., a downstairs apartment), as a freestanding building, or above a detached outbuilding.
- b. The use of manufactured homes, travel trailers, campers, tractor trailers, or similar vehicles as an accessory dwelling unit is prohibited.
- c. Not more than one accessory dwelling unit per lot is permitted.

<sup>104</sup> These standards are proposed to replace the standards in Section 151.347.J of the current ordinance.



ARTICLE 151.4 USE REGULATIONS

Section 4.5 Accessory Uses100F

4.5.5 Standards for Specific Accessory Uses

- d. Where there is no public sanitary sewer service available to the accessory apartment, the applicant shall provide an approval from the Albemarle Regional Health Department for the accessory dwelling unit.

2. Maximum Size

- a. An accessory dwelling unit shall have a floor area of at least 300 square feet, but shall not exceed 40 percent of the floor area associated with the principal structure..
b. An accessory dwelling unit shall have a maximum of two bedrooms and at least one full bathroom.

3. Configuration

- a. At least one, but no more than two, off-street parking spaces shall be provided for an accessory dwelling unit (in addition to the required off-street parking serving the principal use).
b. The accessory dwelling unit shall be served by the same driveway serving the principal use.
c. Accessory dwelling units shall not be sold apart from the principal structure.
d. Accessory dwelling units may be used for home occupation uses but in no instance shall more than one home occupation use be conducted on a single lot.

B. Amateur Ham Radio

- 1. Towers associated with a ham radio operator or private television antenna shall not exceed 100 feet above grade.
2. Towers or antennas attached to a principal structure shall be located on a side or rear elevation.
3. Freestanding towers or antennas shall be located behind the principal structure.

C. Boat Lifts

Boat lifts shall be subject to an approved CAMA general permit issued by the NC Division of Coastal Management.

D. Boat Ramps

Boat ramps shall comply with the following standards:

- 1. Boat ramps (excluding sidewalls) of up to 15 feet in width require issuance of a CAMA general permit by the NC Division of Coastal Management.
2. Boat ramps with a width exceeding 15 feet (excluding sidewalls) require issuance of a CAMA major permit by the NC Division of Coastal Management.
3. Up to two accessory docks meeting all docking facility requirements may be allowed.
4. Boat ramps without accessory docks must meet the water depth and access criteria for a dock within ten feet of the waterward end of the ramp to allow for a bottom slope.
5. Dredging and filling shall be limited to the minimum amount necessary to construct the boat ramp surface, side slopes, walls, and moorings or dock pilings.
6. All such projects shall require prior approval by the NC Division of Coastal Management.

E. Cemetery, Family or Religious Institution

Cemeteries that are not subject to the North Carolina Cemetery Act, including family cemeteries and church cemeteries, are permitted in accordance with the following standards:

- 1. Lots including a cemetery shall be a minimum of two acres in size, but the cemetery site itself has no minimum area requirement.
2. The grounds of the cemetery shall be properly maintained, including: removal of trash and debris, maintaining ground cover, and ensure public safety is maintained.
3. Table <>, Cemetery Dimensional Requirements, sets out the dimensional requirements for cemeteries.

Table with 2 columns: REQUIREMENT and STANDARD (FEET). Rows include: Minimum Street Frontage (125 feet), Burial Plot Setback from Local Streets (20 feet), Burial Plot Setback from Major Arterial Streets (50 feet), Burial Plot Setback from Side Lot Line (15 feet), Burial Plot Setback from Rear Lot Line (25 feet), Burial Plot Setback from Potable Water Supply (50 feet), Burial Plot Setback from CAMA Wetland/Water Body (75 feet).

- 4. The property owner shall provide a road or path for the purpose of access to and from the cemetery.
5. The cemetery shall not be owned or operated as a business for profit.
6. The applicant requesting to establish or enlarge a cemetery shall submit the following minimum information on the site plan:

## ARTICLE 151.4 USE REGULATIONS

### Section 4.5 Accessory Uses100F

#### 4.5.5 Standards for Specific Accessory Uses

- a. Lot dimensions;
  - b. All property line setback requirements;
  - c. All existing physical features (structures, buildings, streets, roads, grave sites, etc.);
  - d. Location and dimension of cemetery boundaries; including number of grave sites or burial plots;
  - e. Location and dimension of the road or path used to access the family cemetery;
  - f. Location of all potable water supplies within 50 feet of the family cemetery; and
  - g. Location of all water bodies and major drainage ways (sounds, creeks, river, canals, etc.) within 75 feet of the family cemetery.
7. A site plan showing the location of and access to the cemetery shall be recorded with the Register of Deeds as an addendum to the deed for the subject property.

#### F. Child Care, Incidental

Child care is permitted as an accessory use to a single-family dwelling in accordance with the following standards:

1. Such uses shall be licensed by the State as a Family Child Care Home and shall comply with all minimum State requirements;
2. The child care portion shall be limited to 25 percent or less of the floor area of the principal structure;
3. The maximum number of children shall be limited to 12;
4. The use shall be operated by a person residing within the principal use and shall be limited to a maximum of one additional employee not residing in the principal use; and
5. A minimum of 100 square feet of fenced play area per child shall be provided within a rear or interior side yard.

#### G. Community Agriculture

Community agriculture uses shall comply with the following standards:

##### 1. Minimum Lot Size

- a. Community agriculture uses may only be located on lots of two acres or larger within residential districts, and one acre or larger within commercial districts.
- b. Community agriculture uses may be conducted on a lot that does not contain a principal use.

##### 2. Buildings and Storage

- a. Community agriculture uses may include up to 1,500 total square feet of floor area within greenhouses, storage buildings, or other related structures.
- b. Equipment or materials shall be stored within an enclosed structure or within a fully-screened enclosure.

##### 3. Retail Sales

- a. Retail sales of produce grown on-site may take place provided the sales/display area is not located within a habitable structure, and provided the sales/display area is located at least 300 feet from any residential use.
- b. Nothing shall prohibit the erection of a temporary shade structure, provided the shade structure does not remain in place overnight.

##### 4. Additional Standards

- a. Exterior lighting is prohibited;
- b. Signage shall be limited to a single, non-illuminated, flat sign of four square feet;
- c. No more than four off-street parking spaces shall be provided in addition to those required for the principal use; and
- d. Plantings shall not obstruct roadway visibility or impede the flow of traffic.

#### H. Docks and Piers

1. Docks and piers shall be allowed in accordance with State and federal regulatory and permitting requirements.
2. Docks and piers shall be treated as an accessory use to the property to which they are connected.
3. In no instance shall a roof be permitted on any dock or pier structure.

#### I. Drive-Through

1. Drive-through facilities shall be located at least 100 feet from any detached single-family dwelling or single-family residential zoning district.
2. Outdoor speakers associated with a drive-through shall be at least 50 feet from any lot line.
3. Drive-through facilities shall not be located on the front façade of the building they serve.
4. Drive-through facilities shall be designed so as not to obstruct the movement of pedestrians along sidewalks, through areas intended for public use, or between the building entrance and customer parking spaces.
5. Canopies or other features installed over a drive through window shall maintain common roof lines and materials with the principal structure

#### J. Excavation

## ARTICLE 151.4 USE REGULATIONS

### Section 4.5 Accessory Uses<sup>100F</sup>

#### 4.5.5 Standards for Specific Accessory Uses

Minor excavations for the purpose of establishing a pond or acquiring fill may be permitted as an accessory use, provided:

1. One acre or less is disturbed (excluding haul roads);
2. Excavation is setback at least 100 feet from all lot lines;
3. Slopes are maintained at no greater than 3:1 above the water, 2:1 below the water, and an average depth of four feet is maintained; and
4. A performance guarantee of at least \$1,000 is posted with the Planning Department to ensure adequate reclamation following excavation.

#### K. Gasoline Sales

Gasoline sales may be permitted as an accessory use in accordance with the following standards:

##### 1. Location

- a. Gasoline pumps, canopies, and associated service areas are prohibited in any established front yard in the CC and VC districts.
- b. If the gasoline sales use is located on a corner lot, the lot shall have an area of at least 30,000 square feet and a frontage of at least 200 feet on each street side. In all other cases, the lot shall have an area of at least 15,000 square feet and a lot width of at least 150 feet.

##### 2. Circulation

The gasoline sales use shall have no more than two vehicular access points. Access points shall be located at least 150 feet from each other and from any intersecting street right-of-ways, and at least 15 feet from any other lot line.

#### L. Home Occupations<sup>105</sup>

A home occupation shall be permitted as accessory to any principal dwelling unit, provided that the accessory use will not change the character of the residential neighborhood in terms of appearance, noise, odors, traffic, or other impacts. Home occupations shall be subject to the following standards:

1. The business or service is located within the dwelling or an associated accessory building, and does not exceed 25 percent of the heated floor area of the principal structure or 1,000 square feet, whichever is less.
2. The principal person or persons providing the business or service resides in the dwelling on the premises.
3. The home occupation employs no more than two persons on the premises who do not reside on the premises.
4. The home occupation causes no change in the external appearance of the existing dwelling and structures on the property.
5. Retail sales of products produced on site shall be limited to lots with street frontage on a major arterial street.
6. All vehicles used in connection with the home occupation are of a size, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood, and there are no more than one vehicle per home occupation. In no instance shall any vehicle larger than eight feet by 32 feet be parked, stored, or otherwise maintained at the site of a home occupation.
7. There is sufficient off-street parking for patrons of the home occupation, with the number of off-street parking spaces required for the home occupation to be provided and maintained in addition to the space or spaces required for the dwelling itself.
8. The property contains no outdoor display or storage of goods, equipment, or services that are associated with the home occupation.
9. The home occupation does not create traffic or parking congestion, noise, vibration, odor, glare, fumes, or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception.

#### M. Horse Stable

A horse stable may be operated on a lot in a residential district regardless of whether or not a dwelling is located on the lot, and a horse stable shall comply with the following requirements:

1. All horses boarded on that premises shall belong to or be leased by the individual who owns and/or leases the land on which the stable is located. Mares under breeding contract are exempt.
2. The land on which the stable is located is at least two acres in size.
3. No stable shall be located within 200 feet of any existing adjoining residential dwelling and 100 feet from any adjoining water source (well) being used for human consumption.
4. Fencing associated with a stable shall be maintained in good repair.

#### N. Housing for Poultry

Except within the WL district, the housing of poultry shall comply with the following standards:

1. No more than eight birds may be housed per lot;

<sup>105</sup> This section is proposed to replace the standards in Section 151.347.B and Section 151.329.C.1 of the current ordinance.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.5 Accessory Uses100F

#### 4.5.5 Standards for Specific Accessory Uses

2. Roosters are prohibited;
3. On-site slaughter of birds is prohibited;
4. All birds shall be housed within a covered enclosure or coup;
5. No enclosure shall be located closer than 25 feet to any residential structure or lot line; and
6. Birds shall be kept within a fenced enclosure at all times.

#### O. Ice House

Ice houses of 50 square feet in size or larger shall comply with the following requirements:

1. Ice houses shall be located at least 100 feet from any public street right-of-way.
2. The ice house shall be surrounded with plantings (excluding any areas necessary for dispensing or servicing) on any side facing a public street or residentially-zoned land. Plantings shall be at least 36 inches in height at the time of planting.
3. Ice houses shall be served by a semi-circular parking and vehicular access area that removes the need for backing. In cases where the ice house is located within an established surface parking area, accessways shall be painted or otherwise designated.
4. Any signage shall have a maximum copy area of 16 square feet.
5. All roof-top mechanical equipment shall be screened.
6. A litter receptacle shall be provided, and shall be maintained in a sanitary condition.
7. Ice houses shall not be allowed as a primary use and shall be designed with an exterior closure that is similar to the primary structure on the site.

#### P. Outdoor Display and Sales

Outdoor display or sales may be allowed as an accessory use for all retail sales uses and wholesale sales uses. It is the intent of this Ordinance to allow the display of merchandise for sale, but not where the display of such items is unsightly, impedes the flow of pedestrian or vehicular traffic, or creates an unsafe condition. The outdoor display/sales of goods shall comply with the following standards:

1. Outdoor display/sales areas shall be depicted upon a site plan (see [Section <>, Major Site Plan](#)).
2. All outdoor display of goods shall be located immediately adjacent to the storefront, or building sides, and not in drive aisles, loading zones, fire lanes, or parking lots.
3. Containers or racks used for display shall be anchored in manner capable of withstanding 120 mph winds, or shall be capable of being moved indoors.
4. Outdoor display areas shall be limited to no more than one-half of the length of the store front or building side.
5. In the case of a shopping center, the "storefront" shall include the entire frontage of the shopping center facade, meaning that the total amount of display for all the in-line tenants combined shall not exceed 50 percent of the aggregate store front length of the shopping center.
6. The area of outdoor display or sales shall not encompass the width of the entrance doors to the establishment as projected straight out from the facility. (For example, if the width of the entrance doors is ten feet, there shall be at least a ten-foot clearance from the doors as projected straight out and away from the facility.)
7. No goods shall be attached to a building's wall surface.
8. The height of the outdoor display shall not exceed nine feet, except in the case of live or recently cut trees or similar vegetation.
9. The outdoor display area shall take place on an improved surface such as the sidewalk or pavement.
10. At least three feet along the parking lot side of the display shall be maintained free of obstruction to allow for pedestrian and handicap movement, such that handicapped pedestrians and others do not have to enter the parking lot or drive aisle to walk around the display.
11. Outdoor sales shall not include hazardous and flammable materials, such as gasoline, oil, antifreeze, kerosene, poisons, pesticides, and similar items.
12. No additional signage shall be permitted in association with outdoor display areas.
13. Outdoor display of large items (e.g., heavy equipment, vehicles, manufactured homes, prefabricated structures, etc.) shall comply with the standards applied to these activities when they occur as principal uses (see [Section <>, Use-Specific Standards](#)).

#### Q. Outdoor Storage (Other than Boats or Vehicles)

Outdoor storage may be allowed as an accessory use in accordance with the following standards:

1. Each outdoor storage area shall be incorporated into the overall design of the principal structure on the site and shall be shown on a site plan, if one is required.
2. Outdoor storage areas shall be located to the side or rear of the principal structure.
3. Outdoor storage areas shall not be located within fire lanes, parking lot drive aisles, loading zones, required setbacks, required off-street parking spaces, or sight distance triangles.
4. Goods stored in an outdoor storage area intended for sale or resale shall be limited to those sold on the premises as part of an associated, additional principal use.
5. Each outdoor storage area shall be screened from off-site views in accordance with [Table <>, Outdoor Storage Screening](#):

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4.5.5 Standards for Specific Accessory Uses

TABLE <->: OUTDOOR STORAGE SCREENING		
ADJACENT FEATURE OR ZONING DISTRICT TO BE SCREENED	MINIMUM OPAQUE SCREENING FENCE OR WALL HEIGHT (FEET)	STORED OBJECT/MATERIAL MAXIMUM HEIGHT WITHIN 50 FEET OF FENCE OR WALL (FEET) [2]
Public street right-of-way	6	5
Park, recreation, or civic area	8	7
Single-family residential zone [1]	8	8
Multi-family residential zone [1]	6	6
Commercial or mixed-use zone [1]	6	6
Industrial zone	None	N/A
NOTES: [1] Or use type if in a planned development district [2] Stored object/material heights located more than 50 feet from a screening fence or wall shall not exceed 35 feet in height.		

- 6. If the outdoor storage area is covered, then the covering shall include at least one of the predominant exposed roofing colors on the primary structure.
- 7. No materials may be stored in areas intended for vehicular or pedestrian circulation.

R. Parking of Boats or Watercraft

- 1. Up to four boats licensed by the NC Division of Marine Fisheries, and associated trailers, may be stored for personal use outside of required setbacks and sight triangles. Storage of five or more boats requires an additional acre of lot area for each boat beyond four.
- 2. Lots with more than four boats shall screen all boats from adjacent residential strictures on different lots.

S. Parking of Heavy Trucks or Trailers in Residential Districts

1. Intent

It is the intent of this subsection to prohibit the customary or continual parking of commercial or other vehicles engaged in activity exceeding personal transport on streets and within yards adjacent to streets in residential neighborhoods since the presence of such vehicles runs contrary to the intended residential character of such neighborhoods. It is not the intent of these standards to prevent the occasional or temporary parking of such vehicles or equipment as necessary for the purposes of loading, unloading, or cleaning; however, the continual or customary overnight parking of such vehicles or equipment for a portion of the day followed by removal the following day is prohibited.

2. Applicability

The standards in this subsection apply to trucks with more than two axles or that exceed 13,000 pounds or two-and-one-half tons of gross vehicle weight rating, trailers with more than one axle.

3. Standards

- a. Heavy trucks and trailers with a rated capacity exceeding two-and-one-half tons shall not be parked or stored on public right-of-way in a residential zoning district except for the purposes of active loading or unloading.
- b. No heavy truck or trailer shall be parked or stored in any front yard, corner side yard, or in any location where it is closer to a street right-of-way than the principal structure within a residential or mixed-use zoning district.

T. Produce Stands

The sale of fresh vegetables and produce, as defined in the North Carolina General Statutes, from curbside stands or in a similar fashion shall:

- 1. Be located on the same lot as a principal use;
- 2. Be limited to retail sale of agricultural or horticultural products;
- 3. Be located outside sight triangles or other areas that may result in visual obstructions to drivers;
- 4. Not exceed 1,000 square feet in area; and
- 5. Provide adequate ingress/egress and off-street parking.

U. Recreational Vehicles

Recreational vehicles located within the SFHA shall comply with the applicable standards in Section <->, Special Flood Hazard Area Overlay (SFHA).

V. Retail Sales from a Vehicle

Retail sales of food or other products from a vehicle is permitted as an accessory use, provided:

- 1. The vehicle is located outside of the right-of-way;

## ARTICLE 151.4 USE REGULATIONS

### Section 4.5 Accessory Uses100F

#### 4.5.5 Standards for Specific Accessory Uses

2. The vehicle and any other appurtenances are removed each day after the completion of sales;
3. No permanent features are included as part of the use;
4. No stand-alone or separate signage or exterior lighting is used;
5. The location has sufficient space to accommodate vehicular parking and safe pedestrian movement; and
6. Any retail sales of food is subject to Albemarle Regional Health Services (ARHS) certification.

#### W. Solar Energy Equipment

Solar energy equipment shall comply with the following standards:

1. The system may be located on the roof of a principal or accessory structure, on the side of such structures, on a pole, or on the ground, subject to the dimensional standards in the district where located (see **Article 151.3: Zoning Districts**).
2. The system shall comply with the maximum height standards for the zoning district in which it is located, provided that a roof-mounted system shall not extend more than 15 feet above the roofline of the structure on which it is mounted.
3. Where an existing structure exceeds the applicable height limit, a solar energy collection system may be located on its roof irrespective of applicable height standards, provided the system extends no more than five feet above the roof surface.
4. If ground mounted, the area of the system shall not exceed one-half the footprint of the principal structure.
5. The property owner shall be responsible for negotiating with other property owners in the vicinity to establish any solar easement designed to protect solar access for the solar energy collection system.

#### X. Underground Storage Tanks

1. Except for water and L.P. gas tanks, use or placement of a metallic underground storage tank is prohibited.
2. State- or federal-approved fiberglass tanks may be installed underground.
3. Upon the installation of any underground tank, a building permit shall be acquired, the Fire Marshal shall be notified, and a survey prepared by a North Carolina registered land surveyor showing the exact location of the tank.
4. Prior to final inspection, the survey shall be recorded in the office of the Currituck County Register of Deeds.

#### Y. Wind Energy Conversion Facility, Small

A small wind energy conversion facility shall comply with the applicable standards in **Section <>, Wind Energy Conversion Facilities**, and the following standards:

1. **Where Permitted**  
Small wind energy facilities may be permitted as an accessory use in the WL, CC, HC, LI, and HI districts.
2. **Amount**  
Towers and turbines associated with a small wind energy facility shall be limited to a maximum of one per principal use.
3. **Location and Setback**  
Small wind energy conversion facilities shall not be located between a principal building and any streets fronting the lot.
4. **Height**  
The maximum height of a small wind energy system (including the tower and extended blades) shall be 120 feet.
5. **Blade Clearance**  
The blade tip or vane of any small wind energy facility shall have a minimum ground clearance of 15 feet above grade, as measured at the lowest point of the arc of the blades. No blades shall extend over public right of ways, parking, or driveway areas.
6. **Lighting**  
No illumination of the turbine or tower shall be allowed, unless required by the (FAA).
7. **Access to Tower**  
Any climbing rungs shall be removed to a height of 12 feet above grade.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.6 Temporary Uses<sup>105F</sup>

#### 4.6.1 Purpose

## 4.6 TEMPORARY USES<sup>106</sup>

### 4.6.1 PURPOSE

This section allows for the establishment of specific temporary uses of limited duration, provided that such uses do not negatively affect adjacent land, and provided that such temporary uses are discontinued upon the expiration of a set time period. Temporary uses shall not involve the construction or alteration of any permanent building or structure.

### 4.6.2 APPLICABILITY

The standards in this section apply to non-permanent uses that take place on a temporary basis whether on the same site or in different locations in the jurisdiction. The activities listed in this section require the issuance of a temporary use permit, except as exempted, in accordance with the standards in [Section <>, Temporary Use Permit](#).

### 4.6.3 GENERAL STANDARDS FOR TEMPORARY USES

All temporary uses shall comply with the following general standards and conditions, unless otherwise specified in this Ordinance:

#### A. General Standards

1. Secure written permission from the landowner;
2. Obtain the appropriate permits and licenses from the County and other agencies;
3. Comply with the requirements for temporary signs in [Section <>, Signage](#);
4. Meet public utility and County requirements for proper connection to water, sewer, electrical and other utility service connections, as applicable;
5. Not violate the applicable conditions of approval that apply to a site or use on the site;
6. Not result in a situation where the principal use, if present, fails to comply with the standards of this Ordinance;
7. Contain sufficient land area for the temporary use and for the parking and traffic movement associated with the temporary use, without impacting environmentally sensitive lands;
8. Not remain in place for more than 30 days if located within a special flood hazard area;
9. Provide adequate on-site restroom facilities; and
10. Cease all outdoor activities within 500 feet of a residential use by 10:00 pm.

#### B. General Conditions

In approving a temporary use permit, the UDO Administrator is authorized to impose any of the following general conditions upon the premises benefited by the permit as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or aggravated by the proposed temporary use. The UDO Administrator is authorized, where appropriate, to require:

1. Provision of temporary parking facilities, including vehicular access and egress;
2. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat;
3. Regulation of placement, height and size, location of equipment and open spaces, including buffer areas and other yards;
4. Provision of sanitary and medical facilities;
5. Provision of solid waste collection and disposal;
6. Provision of security and safety measures;
7. Use of an alternate location or date;
8. Modification or elimination of certain proposed activities;
9. Regulation of operating hours and days, including limitation of the duration to a shorter time period than requested or specified in this subsection; and
10. Submission of a financial guarantee to ensure that any temporary use will be removed from the lot or site within a reasonable time and the lot or site will be restored to its former condition.

#### C. Temporary Uses in the SFHA

Temporary non-residential uses in the SFHA shall comply with the standards in [Section <>, Temporary Nonresidential Structures](#), in addition to the applicable standards in this section.

### 4.6.4 STANDARDS FOR SPECIFIC TEMPORARY USES

<sup>106</sup> This is a new section which consolidates all of the standards for the few specific temporary uses currently housed in the definitions and supplemental use standards (i.e. Section 151.210, Section 151.211, and others), and adds prefatory language that defines temporary uses, direction to the temporary use permit procedure in Article 2, and a set general standards for all temporary uses.

## ARTICLE 151.4 USE REGULATIONS

### Section 4.6 Temporary Uses<sup>105F</sup>

#### 4.6.4 Standards for Specific Temporary Uses

##### A. **Portable Storage Container**<sup>107</sup>

Portable storage containers may be permitted as a temporary use on a residential lot, subject to the following standards.

###### 1. **Maximum Size**

Containers no larger in dimension than eight feet in height, nine feet in width, or 16 feet in length.

###### 2. **Maximum Number**

- a. No more than two portable storage containers shall be located on a single lot or parcel of land.
- b. No other type of container or shipping container is located on the same lot or parcel of land.

###### 3. **Hazardous Substances**

Portable storage containers shall not be used to store or transport nonresidential materials and substances, including but not limited to the following: solid waste, hazardous materials, explosives, and unlawful substances and materials.

###### 4. **Duration**

- a. A portable storage container may remain upon a lot for 14 days in any consecutive calendar year except when used in conjunction with construction on the same lot, and shall then be removed within 14 days of the issuance of a certificate of occupancy.
- b. The UDO Administrator may grant one 14-day extension to the maximum duration, for good cause shown.

###### 5. **Location**

- a. If a portable storage container is placed in the front yard, then it shall be located only in the area primarily used for vehicular ingress and egress and be at least five feet from the edge of the paved right-of-way.
- b. If a portable storage container is placed in the required rear or side yard, no setback shall be required.

##### B. **Special Events**<sup>108</sup>

Special events shall comply with the following standards:

1. The hours of operation allowed shall be compatible with the uses adjacent to the activity;
2. The anticipated amount of noise generated shall not disrupt the activities of adjacent land uses;
3. The applicant shall guarantee that all litter generated by the special event be removed at no expense to the County;
4. The parking generated by the event can be accommodated without undue disruption to or interference with the normal flow of traffic or with the right of adjacent and surrounding property owners to the beneficial use and enjoyment of their property; and
5. In cases where the applicant requests the County to provide extraordinary services or equipment or if the County otherwise determines that extraordinary services or equipment should be provided to protect the public health or safety and existing funds are not available, the applicant shall be required to pay to the County a fee sufficient to reimburse the County for the costs of these services.

##### C. **Temporary Buildings**

###### 1. **Generally**

All temporary buildings shall comply with the following:

- a. Structures shall be built in accordance with the State Building Code;
- b. Structures shall be built in accordance with the standards promulgated by the U.S. Department of Housing and Urban Development and all temporary buildings shall be secured to the ground in a manner, approved by the County's Building Inspector, that reflects the temporary nature of the structure;
- c. Temporary buildings shall observe the setback requirements applicable to permanent buildings within the district where the temporary buildings are located; and
- d. Permits must be secured from the UDO Administrator prior to the location of any temporary building(s). Permits shall remain valid for 12 months and may be renewed for additional 12-month periods upon a showing that the building is being used in conformity with this section and reasonable progress is being made toward completion of the project.

###### 2. **Temporary Emergency, Construction or Repair Residences**<sup>109</sup>

<sup>107</sup> This is a new temporary use that we suggest for inclusion in the updated UDO.

<sup>108</sup> These standards carry forward the standards in Section 151.347.I in the current ordinance.

<sup>109</sup> This section carries forward Section 151.210 from the current UDO.



## ARTICLE 151.4 USE REGULATIONS

### Section 4.6 Temporary Uses<sup>105F</sup>

#### 4.6.4 Standards for Specific Temporary Uses

- a. Temporary residences used on construction sites of non-residential premises shall be removed immediately upon the completion of the project.
- b. Temporary residences used on construction sites of residential premises shall be removed within 60 days of issuance of the certificate of occupancy.
- c. Permits for temporary residences to be occupied by persons intending to live in a permanent residence pending the construction, repair or renovation of the permanent residential building on a site shall expire within nine months after the date of issuance, except that the UDO Administrator may renew the permit for one additional period not to exceed three months if he or she determines that the renewal is reasonably necessary to allow the proposed occupants of the permanent residential building to complete the construction, repair, renovation or restoration work necessary to make the building habitable.
- d. Temporary emergency, construction or repair residences, as defined herein, shall consist of campers, travel trailers, recreational vehicles, and Class "A" or "B" mobile homes.
- e. The use of a travel trailer as a temporary residence in connection with the construction of a dwelling shall be permitted provided that it is occupied by the owner of the dwelling, not the contractors or subcontractors.

#### 3. Temporary Construction and Sales Offices<sup>110</sup>

Within any district, a temporary building may be located on any lot or tract that is being developed so long as the building:

- a. Is used as a construction or field office related to the development of the tract where the office is located or as a place of storage for materials used in the development of the tract;
- b. Is used as a sales office solely in connection with the development where the temporary building is located; and
- c. Is removed within 30 days after completion of construction work on the tract where the building is located or within 30 days after 95 percent of the lots or units have been sold.

#### 4. Temporary Real Estate Office<sup>111</sup>

Within any real estate development offering lots or units for sale, a temporary sales office may be established in a model or display unit that is or will be for sale and within any permanent building, such as a clubhouse or recreation facility, that will remain as part of the development after sales are completed.

#### D. Temporary Health Care Structure<sup>112</sup>

One temporary health care structure is permitted on a lot with a single-family detached dwelling, subject to the following standards:

##### 1. Structure

A temporary health care structure is one that:

- a. Is transportable and primarily assembled at a location other than the site of installation;
- b. Is located on a lot with an existing single-family detached dwelling;
- c. Is limited to one occupant who is a mentally or physically impaired person related to the caregiver;
- d. Is used by a caregiver or legal guardian in providing care for one mentally or physically impaired person on property owned or occupied as the caregiver's or guardian's residence;
- e. Has no more than 300 square feet of gross floor area;
- f. Is connected with water, sewer, and electricity by branching service from the single-family detached dwelling;
- g. Has the same street address and mailbox as the existing single-family detached dwelling;
- h. Uses the same driveway as the existing single-family dwelling, unless the structure is accessed from a right-of-way not used by the dwelling (e.g., a rear alley or separate street access on a corner or through lot);
- i. Meets the dimensional standards of the zoning district for a single-family detached dwelling; and
- j. Meets the applicable provisions in the NC State Building Code; however, is not located on a permanent foundation.

##### 2. Need and Relationship

- a. The occupant of the structure must be a mentally or physically impaired person that is a resident of the State who requires assistance with two or more activities of daily living (bathing, dressing,

<sup>110</sup> This section carries forward Section 151.211 from the current UDO.

<sup>111</sup> This section carries forward subsection (C) of the definition of Temporary Building from the current UDO.

<sup>112</sup> This is a new use that we included to comply with current state law.

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## ARTICLE 151.4 USE REGULATIONS

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### Section 4.6 Temporary Uses<sup>105F</sup>

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#### 4.6.4 Standards for Specific Temporary Uses

personal hygiene, ambulation or locomotion, transferring, toileting, and eating) as certified in writing by a physician licensed to practice in North Carolina.

- b. The caregiver must be an individual 18 years of age or older who provides care for the mentally or physically impaired person and is a first or second degree relative of the impaired person. A first or second degree relative is a spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew or niece, including half, step, and in-law relationships.

#### 3. **Permit Conditions**

- a. Once the applicant provides sufficient proof that the temporary health care structure meets all standards, then the temporary structure shall be permitted for a period of 12 months.
- b. The applicant may renew the zoning compliance permit for a 12-month period and continue to renew it provided the applicant provides evidence of continued need and compliance with these standards.
- c. The County may make permit renewal and periodic inspections of the temporary structure at reasonable times convenient to the applicant.
- d. No signage shall be permitted on the exterior of the temporary structure or on the lot that identifies or promotes the existence of the structure.
- e. The temporary structure shall not be subdivided or otherwise separated in ownership from the single-family detached dwelling.
- f. The temporary structure shall be removed within 60 days if the impaired occupant is no longer receiving or in need of assistance.
- g. The temporary use permit may be revoked or other enforcement actions taken if these standards are violated.

#### E. **Temporary Wireless Telecommunications Facility**

A temporary wireless telecommunications facility is permitted on a lot containing commercial or mixed-use development subject to the following standards:

1. A temporary wireless telecommunications facility may be allowed on a lot after a disaster or other emergency for a period not to exceed 30 days, except that the temporary use permit may be renewed for good cause shown.
2. A temporary wireless telecommunications facility may be allowed on a lot to evaluate the technical feasibility of a site for a period not to exceed 14 days, except that the temporary use permit may be renewed for good cause shown.
3. A temporary wireless telecommunications facility may be allowed on a lot in association with an event where the anticipated demand cannot be handled by existing facilities for a period not to exceed 14 days.
4. A temporary wireless telecommunications facility may be allowed on a lot with an existing permanent wireless telecommunications facility where the permanent structure is undergoing reconstruction or maintenance and the temporary facility is needed to maintain sufficient levels of service. The temporary facility shall be removed after reconstruction or maintenance is complete and service restored on the permanent structure.
5. All temporary wireless telecommunications facilities, including all supporting cables and anchors, shall be contained on the lot.

#### F. **Yard or Garage Sales**

Yard or garage sales shall not be conducted on the same lot for more than three days, consecutive or otherwise, on an lot over any 60-day period